

AGENDA ITEM: A-3

DATE: December 6, 2016

ACTION: APPROVED

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – OCTOBER 18, 2016
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:	Robert Tefft Richard Sadowski Joe Ingraffia Gerald Luhr	Chairperson Commissioner Commissioner Vice-Chairperson
ABSENT:	Michael Lucas	Commissioner
STAFF:	Scot Graham Joan Gargiulo	Community Development Director Assistant Planner

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

<https://youtu.be/EVExhM3JiWU?t=2m>

Commissioner Sadowski announced he recently attended the Ocean Protection Council Meeting in Sacramento. Sadowski noted the meeting will be televised on AGP Video, channel 21.

Chairperson Tefft announced they had a great Airport Day in SLO this past Saturday.

PUBLIC COMMENT PERIOD

<https://youtu.be/EVExhM3JiWU?t=3m6s>

Carol Truesdale, Morro Bay resident, stated she attended the stakeholders meeting last night. Truesdale spoke about street issues and urged the Planning Commission to recommend the City put in place some kind of construction security bond for the benefit of the City of Morro Bay.

Annie Pivarski, Morro Bay resident, spoke of the stakeholders meeting. Pivarski is not opposed to the tank demolition, but she felt last night's meeting elevated her concerns along with the questionable business practices of the owners and applicants listed on the application. Pivarski was surprised the City did not require a security bond from the applicant.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/EVExhM3JiWU?t=8m53s>

Commissioners Sadowski requested a copy of the comments from Pivarski.

Staff responded they would email copies of the comments from both Truesdale and Pivarski to the Commissioners.

Vice-Chairperson Luhr asked Truesdale if it was a direct quote from the applicant regarding a statement about suing the City.

Chairperson Tefft opened the Public Comment period to address the question.
<https://youtu.be/EVExhM3JiWU?t=10m20s>

Truesdale explained in detail how the conversation went with the applicant regarding her concerns about the recent past issue with another city and the applicant.

Pivarski stated Mr. Mathy wasn't the developer, his role was to remove the tanks. This has been contrary to what they have been hearing and what he has stated in the past. They are concerned about the integrity and honesty with issues Mathy has encountered when he was dealing with a project for the City of Fresno.

Chairperson Tefft closed the Public Comment period.
<https://youtu.be/EVExhM3JiWU?t=13m2s>

PRESENTATIONS – NONE

A. CONSENT CALENDAR

<https://youtu.be/EVExhM3JiWU?t=13m3s>

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

A-2 Approval of minutes from the Planning Commission meeting of September 6, 2016.
Staff Recommendation: Approve minutes as submitted.

MOTION: Vice-Chairperson Luhr moved to approve item A-1; the Current and Advanced Processing List. Commissioner Sadowski seconded and the motion passed unanimously (4-0).

MOTION: Commissioner Sadowski moved to approve item A-2; the September 6th Planning Commission minutes. Commissioner Ingraffia seconded, Vice Chairperson Luhr abstained and the motion passed (3-0-1).

B. PUBLIC HEARINGS

Public testimony given for Public Hearing items will adhere to the rules noted above under the Public Comment Period. In addition, speak about the proposal and not about individuals, focusing testimony on the important parts of the proposal; not repeating points made by others.

B-1 **Case No.:** #UP0-451, #CP0-510 and AD0-108
Site Location: 190 Anchor Street, Morro Bay, CA
Proposal: Conditional Use and Coastal Development Permit approval for a 283 sq. ft. addition to an existing 955 sq. ft. nonconforming structure and the construction of a new 624 sq. ft. garage in the R-2/PD/S.4 Residential Zoning District. The project is located within the Coastal Commission Appeals Jurisdiction.

CEQA Determination: Categorically Exempt, Section 15301, Class 1

Staff Recommendation: Conditionally Approve

Staff Contact: Joan Gargiulo, Assistant Planner, (805) 772-6270

<https://youtu.be/EVExhM3JiWU?t=15m59s>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –
NONE

Gargiulo presented staff report.

Commissioners presented questions to staff.

Chairperson Tefft opened the Public Comment period.

<https://youtu.be/EVExhM3JiWU?t=22m4s>

Judy and Bob Salamacha, applicant, stated they are proud of the project and will be available to answer any questions.

John Cloninger, agent for applicant, presented his design rationale for the proposed parking situation. Cloninger stated he would also be available to answer any questions.

Michael Hollier, son in-law and fence contractor, explained the reason for the modified privacy fence and other issues on the property.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/EVExhM3JiWU?t=34m30s>

Discussion between Commissioners and staff.

Chairperson Tefft opened the Public Comment period to see if the applicant would like to proceed with an application for a variance or chose not to proceed with a variance and accept the code as written.

<https://youtu.be/EVExhM3JiWU?t=1h4m42s>

Staff also suggested the Planning Commission could take action on the application and approve as it is. The applicant would then come in later to submit an amendment to the permit along with a variance request for the fence.

MOTION: Commissioner Sadowski moved to approve PC Resolution 22-16 (CP0-510/ UP0-451/ AD0-108), 190 Anchor St., to include condition regarding uncovered parking. Vice-Chairperson Luhr seconded and the motion passed unanimously (4-0).

B-2 Case No.: #UP0-450 / #CP0-509 / #AD0-106 / #AD0-107
Site Location: 242 Surf Street, Morro Bay, CA

Proposal: Application for a Conditional Use Permit, Coastal Development Permit, Parking Exception, and Variance. Specifically, the Applicant proposes to add

376 sq. ft. to an existing 720 sq. ft. nonconforming residence. Parking exception request is to allow for two tandem spaces in the driveway. Variance request is to allow for a reduced front setback due to the irregular shape of the parcel. The project is located within the R-2 Residential Zoning District and outside of the Coastal Commission Appeals Jurisdiction.

CEQA Determination: Categorically Exempt, Section 15301, Class 1

Staff Recommendation: Conditionally Approve

Staff Contact: Joan Gargiulo, Assistant Planner, (805) 772-6270

<https://youtu.be/EVExhM3JiWU?t=1h13m9s>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS – NONE

Gargiulo presented staff report.

Chairperson Tefft opened the Public Comment period.

<https://youtu.be/EVExhM3JiWU?t=1h25m39s>

Chris Parker, architect, presented the project and its details to the Commission.

Rigmore, Morro Bay resident, stated the architect and staff had done an amazing job on the project. Rigmore stated she spoke to other neighbors who live near the project, and all are in favor of the project. Rigmore stated because the lots in the area are very different than an average lot in Morro Bay, she would like the Commission to not be so picky and understand we're better off to allow these properties to be approved to livable standards and workable for the owner. She asked the Commission to approve the project.

Commissioner Sadowski wanted Parker to clarify the design for the frontage of the property.

Parker explained about the post placement in the front of the property.

Chairperson Tefft asked what the garage was used for.

Robert Hartsock, applicant, explained the garage is currently empty and would eventually like to park his car in the new garage.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/EVExhM3JiWU?t=1h35m45s>

Discussion between Commissioners and staff.

MOTION: Vice-Chairperson Luhr moved to approve PC Resolution 23-16 (CP0-509/ UP0-450, AD0-107, Variance AD0-106) to allow for a residential non-conforming structure with tandem parking, reduced driveway, reduced driveway

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width and reduced front set-back at 242 Surf Street, with one uncovered parking space. Commissioner Sadowski seconded and the motion passed unanimously (4-0).

<https://youtu.be/EVExhM3JiWU?t=1h55m59s>

C. NEW BUSINESS - NONE

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS -

<https://youtu.be/EVExhM3JiWU?t=1h58m40s>

Commissioner Sadowski stated he attended the California Ocean Protection Meeting which was held yesterday. Sadowski noted it was a great meeting and stated he received new data regarding ocean health and water quality. Sadowski reminded everyone about the importance of harmful algae blooms and its affects.

Commissioner Ingraffia informed staff the Commissioners had received an email from the applicant for the Sonic project. Ingraffia asked staff how they would like the Commission to respond to the email.

Graham gave the Commission options on ways they could respond to the applicant and strongly recommended the Commission not to discuss the item at this meeting.

F. COMMUNITY DEVELOPMENT DIRECTORDIRECTOR COMMENTS - NONE

G. ADJOURNMENT

The meeting adjourned at 8:03 p.m. to the regular Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on November 1, 2016, at 6:00 p.m.

Robert Tefft, Chairperson

ATTEST:

Scot Graham, Secretary