

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – JUNE 3, 2014
COMMUNITY CENTER MULTI PURPOSE ROOM – 5:00 PM

PRESENT:	Robert Tefft	Chairperson
	Gerald Luhr	Vice Chairperson
	John Fennacy	Commissioner (arrived 5:50 PM)
	Michael Lucas	Commissioner (arrived 6:00 PM)
	Richard Sadowski	Commissioner
STAFF:	Rob Livick	Public Services Department
	Brandon Ward	Assistant City Attorney
	Whitney McIlvaine	Contract Planner
	Cindy Jacinth	Associate Planner

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

PRESENTATIONS

Cal Poly City and Regional Planning Graduate Studio Presentation of Visioning Process for the Rezone of the West Atascadero Road Area – Embarcadero to Main Street.

Jamie Haramio, Cal Poly Graduate Student, presented an overview of the Embarcadero North visioning process scope, project boundary, site analysis and vision statement.

Cal Poly Graduate students Danny Abbis, Charlie Coals, Sam Gross and Nora Chin presented the recommendations for land use and zoning, circulation element, open space and recreation, and the catalyst project.

Hemalata Dandekar, Cal Poly City and Regional Planning Faculty member, presented closing remarks, noting the handout provided will be made available on the website and announced an open house regarding this would be on June 11, 2014 from 3-5 PM.

Commissioner Luhr stated he sees some economically viable solutions and would like to hear more from the community.

Commissioner Sadowski stated he likes the idea of a pool and bigger skate park.

Chairperson Tefft stated he would like to see the City and Cal Poly continue to partner together and find a way to move this forward.

Chairperson Tefft opened Public Comment period.

Barbara Joe, Morro Bay resident, stated there are different pockets of businesses and want to see things that will enhance each other, not compete with each other. She stated what is missing is a recreation point with a pool and skate park, something that would be unique along the coast.

Chairperson Tefft closed Public Comment period.

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PUBLIC COMMENT

Chairperson Tefft opened Public Comment period.

Roger Ewing, Morro Bay resident, stated he could not stay for item B-2 and sees no change in the parking and garage in the staff report and asked the Commission to not consider granting a parking exception.

Chairperson Tefft closed Public Comment period.

Unless an item is pulled for separate action by the Planning Commission, the following actions are approved without discussion.

A. CONSENT CALENDAR - None

B. PUBLIC HEARINGS

B-1 ***Continued from March 5, 2014 Meeting***

Case No.: CP0-408

Site Location: 1000 Ridgeway

Proposal: Appeal of Administrative Coastal Development Permit #CP0-408 for demolition of an existing single-family residence and subsequently construct a 4,829 square foot single-family residence with a 1,201 square foot garage. This site is located outside of the appeals jurisdiction of the California Coastal Commission.

CEQA Determination: Categorically Exempt, Class 1 and Class 3

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

Jacinth stated staff received a request from the Appellant to continue due to the election, noting if the Commission wanted to grant the continuance request, staff would recommend the public hearing be opened to take testimony and then continue the item to a date certain, otherwise, if the Commission does not want to grant a continuance, staff is ready to proceed.

Chairperson Tefft opened the Public Comment period regarding the issue of the requested continuance.

Katherine Caldwell, Appellant, stated she requested the continuance due to it being election night and those who would have attend the meeting are going to vote after work.

Ruel Czach, Architect, stated his expects the Commission to conduct its business as it is a scheduled hearing, noting the item was discussed then continued to this date and they have worked hard installing story poles and preparing new simulations as requested. He requested the meeting not be postponed noting the public has not been denied the opportunity to comment on the project.

Roger Ewing, Morro Bay resident, requested the hearing be continued as there are new simulations submitted after the staff report went out that have not been reviewed.

Ted DeMont, Morro Bay resident, stated the venue does not have the proper audio visual equipment to be able to show available images. He commented the revised images were done at the eleventh hour and requested the hearing be continued.

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Bill Weatherford, Morro Bay resident, stated the Architect did a good job displaying his work but noted having accurate images are important to show how it will look.

Jane Von Koehe, Morro Bay resident, stated she looked at the site and does not think the house is too big noting it is not blocking anyone's view and the owner has a right to build what they want.

Chairperson Tefft closed Public Comment period regarding the issue of the requested continuance.

Commissioners Fennacy, Lucas, Sadowski stated support for continuing the item.

Vice Chairperson Luhr stated the simulations did not misrepresent the project and supports moving forward with the hearing tonight.

Chairperson Tefft expressed concern at the number of people here for the hearing and would like to give them an opportunity to comment if the item is continued.

MOTION: Commissioner Sadowski moved to grant the continuance.

Ward clarified that Public Comment on the project itself should occur before a motion to continue the item.

Commissioner Sadowski rescinded his motion.

Jacinth presented the staff report.

Chairperson Tefft opened Public Comment period regarding the proposed project.

Katherine Caldwell, Appellant, stated the issue is neighborhood compatibility, noting the house is too big and there are no guidelines on what is compatible. She requests this go to the City Council to form a neighborhood compatibility committee to research what other cities allow and come back with a report.

Ruel Czach, Architect, stated story poles were installed over a week ago and the simulations are accurate to the story poles. He stated in talking with the neighbors about 60% are in support, 20% don't want to talk about it, and 20% are opposed, noting that many who signed the original petition against the project were misled being told higher living space square footage than actually proposed.

Nancy Bast, Morro Bay resident, read the letter she submitted previously to the Commission stating the house still remains too large in size, bulk and scale.

Susan Heinemann, Morro Bay resident, spoke in opposition to the project stating the concept of neighborhood compatibility comes from the opinion of those living in the upper heights area and not next door.

Tom Nicholas, Morro Bay resident, stated he is in favor of the project.

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Treva Thorton, Morro Bay resident, stated she is in support of the project noting the house fits within the parameters set by the City.

Bill Weatherford, Morro Bay resident, stated the fear of building bigger houses will become a problem in the future as our country becomes more economically divided noting Morro Bay is a unique, healthy place where people want to live and need to complement rather than be angry at each other.

Reed Adamson, Applicant, apologized for all the turmoil stating his wife and he have been part of this community since 2004, they have worked all their life to build and enjoy a retirement home, wanting to stay in the community.

Ted DeMont, Morro Bay resident, stated the concept of neighborhood compatibility it is not clear and request the matter be referred to the City Council for direction.

Chairperson Tefft closed Public Comment period regarding the proposed project.

Commissioner Fennacy stated he has enough information to move forward with the project and opposes the request for continuance.

Vice Chairperson Luhr stated the data and photos are out there and there is enough to move forward with a decision on the project.

MOTION: Commissioner Fennacy moved to deny the Appellant's request for a continuance made on May 30, 2014. Vice Chairperson Luhr seconded the motion.

Commissioner Lucas stated he would vote no as he wants the public who did not get a chance to see the new modification be able to review and comment.

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

Chairperson Tefft opened Public Comment period.

Deana Nielson, Morro Bay resident, spoke in opposition of the project stating the house is too large.

Roger Ewing, Morro Bay resident, stated he is opposed to the proposed project noting the house is too large.

Judy Walters, Morro Bay resident, stated she is opposed to a project of this size and scale.

Carol Rains, Morro Bay resident, stated the City has guidelines and the project either fits them or not, noting she does not see anything wrong with the project.

Norm Williams, Morro Bay resident, stated there are 5 bathrooms in the house.

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Lynda Merrill, Morro Bay resident, spoke in opposition to the project stating the proposed house is too large.

Chairperson Tefft closed Public Comment period.

Livick stated the City has regulations regarding size that is based on lot coverage, house height and setbacks that the project complies with, but there is also neighborhood compatibility that is not well defined with any metrics.

Ward outlined to the Commission the appeal rights.

Commissioner Fennacy stated the plan complies with City standards and discussed with staff when neighborhood compatibility is triggered. He stated the City Council, not the Commission, is the precedent setting body.

Commissioner Sadowski stated neighborhood compatibility is subjective and staff needs to review this and get more clear direction.

Vice Chairperson Luhr discussed with staff parking and signage for people using the trailhead.

Commissioner Lucas stated he looked at the story poles and was shocked at the size. He stated the Architect has done an amazing job making an extremely large house look smaller, but it is a really big house. He stated support for upholding the appeal.

Chairperson Tefft agreed with both sides about needing more clear standards regarding neighborhood compatibility noting the community is divided about this project. He stated this is not an evolution of the neighborhood but a jump and supports upholding the appeal.

McIlvaine presented findings should the Commission decide to uphold the appeal and deny the project:

- 1) The project as proposed is not in conformance with the General Plan and Local Coastal Program because it is not consistent with the Zoning Ordinance Section 17.48.190 which implements the General Plan and is part of the Local Coastal Program. Specifically the project as proposed is not visually compatible with the character of the surrounding neighborhood in terms of bulk, size and scale.
- 2) The project is not consistent with the Land Use Element Policy LU-15 which states the present human scale and leisurely low intensity appearance of Morro Bay should be maintained through careful regulation of building height, location and mass.

MOTION: Commissioner Fennacy moved to uphold the appeal and approve Coastal Development permit CP0-408 subject to the findings and conditions of approval as specified in Planning Commission Resolution 11-14 and approve the revised plans dated April 29, 2014 attached as Exhibit A and B. Vice Chairperson Luhr seconded the motion.

Commissioner Lucas stated other projects have been held up showing what is incompatible noting he does not want to contribute to another example that people feel is incompatible. He stated support for denying the project.

Commissioner Sadowski stated he does not support the project as it relates to the LCP Policy 12.06.

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

MOTION: Commissioner Lucas moved to uphold the appeal of Administrative Coastal Development permit CP0-408 and deny the Coastal Development permit CP0-408 for the project at 1000 Ridgeway with the findings as read into the record by staff numerated as 1 and 2. Commissioner Sadowski seconded the motion and the motion passed. (3-2, Vice Chairperson Luhr and Commissioner Fennacy voting no)

B-2 ***Continued from May 20, 2014 Meeting***

Case No.: #CP0-420 & #AD0-088

Site Location: 3031 Beachcomber

Proposal: Coastal Development Permit approval for an addition of 310 square feet to an existing single family residence in the S.2A overlay zoning district. Parking Exception request to allow one covered and enclosed garage parking space and one uncovered tandem driveway parking space. This site is located inside the appeals jurisdiction of the California Coastal Commission.

CEQA Determination: Categorically exempt, Class 1

Staff Recommendation: Conditionally approve

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

Commissioner Sadowski recused himself from this item.

Jacinth presented the staff report.

Vice Chairperson Luhr inquired if the decks were permitted. Livick replied they did not require a building permit as they are below 30 inches in height.

Commissioner Lucas and staff discussed what could be built in the rear yard. Livick noted per OA-1 zoning they could build non-significant structures which would be anything that does not require a building permit. Jacinth noted a condition has been added stating only development consistent with OA-1 zoning be allowed in this area.

Chairperson Tefft and Livick discussed how the paper street was created.

Vice Chairperson Luhr asked if there was any overlay of environmentally sensitive habitat or dune habitat for this area. Jacinth replied the Beach Tract area is outside the ESH area as noted on the City's ESH maps.

Chairperson Tefft opened Public Comment period.

Joyce Hunter Cockrill, Applicant, stated they worked closely with the City as they are close to the dunes and want to bring the house up to green standards and lower water usage.

Vice Chairperson Luhr and Bill Cockrill discussed the trusses, roof and side walls.

Chairperson Tefft closed Public Comment period.

Commissioner Lucas stated he does not like the idea of a parking exception but does not see another way, noting he likes that the house is being updated.

Commissioner Fennacy stated he supports the project.

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Chairperson Tefft stated he supports the project and concurred with Commissioners Fennacy and Lucas regarding upgrading the house. He expressed appreciation of staying within the existing footprint and not expanding the decks in the OA-1 area.

MOTION: Commissioner Fennacy moved to adopt Planning Commission Resolution 12-14 to include the findings and conditions of approval for the project depicted on site development plans dated May 14, 2014. Commissioner Lucas seconded the motion and the motion passed. (4-0)

Commissioner Sadowski returned.

B-3 Case No.: #UP0-374

Site Location: 481 Java Street

Proposal: Conditional Use Permit request to allow a non-conforming addition to an existing nonconforming single family residence and to allow a one-car carport where two covered parking spaces are required. The existing structure does not meet the parking, setback, and lot coverage requirements. The proposed project with a 644-square-foot, second-story addition and remodel to the existing structure would not meet setback, coverage, or parking standards. The project site is located outside the appeals jurisdiction of the California Coastal Commission.

CEQA Determination: Categorically Exempt, Section 15303, Class 3

Staff Recommendation: Denial

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

Commissioner Sadowski recused himself as he lives across the street from the proposed project.

McIlvaine presented the staff report.

Commissioner Lucas and McIlvaine discussed the setbacks for the upper floor.

Vice Chairperson Luhr and McIlvaine discussed the square footage of the lot and how much space would be needed for a two car garage.

Chairperson Tefft and McIlvaine discussed how much of the house is being reconstructed.

Chairperson Tefft opened Public Comment period.

Kathleen Bergantzel, Architect, described the project.

Commissioner Lucas and Bergantzel discussed tandem parking.

Chairperson Tefft and Bergantzel discussed the foundation and width of the carport.

Chairperson Tefft closed Public Comment period.

Vice Chairperson Luhr stated parking is so congested on the street that he does not support granting an exception.

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Commissioner Lucas agreed with Vice Chairperson Luhr regarding parking and would rather see a modification to get the second car off the street noting he liked the plan's restrained development of the second story.

Commissioner Fennacy stated he liked the project but expressed concern with the parking and would like to see a compromise to address that.

Chairperson Tefft stated parking is an issue and he supports staff recommendation to deny.

Commissioner Lucas and staff discussed denial versus continuance to address the parking issue.

Chairperson Tefft opened Public Comment period.

Chairperson Tefft asked if the Applicant would be agreeable to a continuance to re-evaluate the project. Bergantzel replied the Applicant would support a continuance.

Chairperson Tefft closed Public Comment period.

MOTION: Commissioner Lucas moved to continue the item to a date uncertain to accommodate two cars on site. Vice Chairperson Luhr seconded the motion and the motion passed. (4-0)

Commissioner Sadowski returned.

C. UNFINISHED BUSINESS

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

Jacynth reviewed the work program with the Commissioners.

D. NEW BUSINESS

- D-1 Appointment of Planning Commissioner to the Water Reclamation Facility (WRF)
Citizen's Advisory Committee

Livick outlined the purpose of the Committee.

Commissioner Sadowski volunteered to be on the Committee.

Commissioner Luhr expressed an interest in being on the Committee but noted he may not have the time to commit for the Commissioner appointment but would be interested in an At-Large seat.

Commissioners Fennacy and Lucas expressed interest in the Committee but could not commit the time.

MOTION: Commissioner Lucas moved to nominate Commissioner Sadowski. Commissioner Luhr seconded the motion and the motion passed unanimously. (5-0)

E. DECLARATION OF FUTURE AGENDA ITEMS

- Updates on Embarcadero North Specific Plan progress

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ADJOURNMENT

The meeting adjourned at 9:34 p.m. to the next regularly scheduled Planning Commission meeting at the Community Center Multi-Purpose Room, 1001 Kennedy Way, on Tuesday, June 17, 2014 at 6:00 p.m.

Robert Tefft, Chairperson

ATTEST:

Rob Livick, Secretary