

AGENDA ITEM: A-1

DATE: September 15, 2015

ACTION: APPROVED

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – AUGUST 18, 2015
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT: Robert Tefft Chairperson
 Gerald Luhr Commissioner
 Richard Sadowski Commissioner
 Michael Lucas Commissioner

STAFF: Scot Graham Community Development Manager
 Whitney McIlvaine Contract Planner

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

Commissioner Sadowski announced NOAA (National Oceanic and Atmospheric Administration) has moved the application for the Chumash Heritage National Marine Sanctuary to the second phase.

Commissioner Luhr announced there has been a rash of construction trailer theft in the area. He advised if anyone has any information, to please contact the Morro Bay Police Department.

Chairperson Tefft announced the GPAC Committee had their first meeting last week and are in the process of constituting a subcommittee for the RFP's which will be for the general contractors working on the plan.

PUBLIC COMMENTS

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

<https://youtu.be/uXKHfMLEvSI?t=5m6s>

PRESENTATIONS – NONE

A. CONSENT CALENDAR

<https://youtu.be/uXKHfMLEvSI?t=5m26s>

A-1 Approval of minutes from the Planning Commission meeting of June 16, 2015.
Staff Recommendation: Approve minutes as submitted.

A-2 Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.

MOTION: Commissioner Luhr moved to approve the Consent Calendar. Commissioner Lucas seconded the motion and the motion passed unanimously (4-0).

<https://youtu.be/uXKHfMLEvSI?t=6m1s>

B. PUBLIC HEARINGS

<https://youtu.be/uXKHfMLEvSI?t=6m19s>

B-1 Case No.: CP0-419, UP0-383

Site Location: 3420 Toro Lane, Morro Bay, CA

Project Description: The applicants propose to grade for and construct a 1,538 square-foot dwelling and a 579 square-foot garage, on a vacant 10,019 square-foot beach front parcel. Plans also show a 242.4 square-foot patio area. The proposed lot coverage is 21.2%. The project site is located in a Single Family Residential (R-1) zone with an S.2.A Overlay which limits the height of the structure to a maximum of 17 feet. The site contains areas of environmentally sensitive habitat and is subject to development standards for coastal bluff properties. This project is located in the Coastal Commission appeal jurisdiction.

CEQA Determination: The Community Development Director determined the project qualifies for a Mitigated Negative Declaration of Environmental Impact (MND). Mitigation is recommended to reduce any environmental impacts to a less than significant level.

Staff Recommendation: Adopt the Mitigated Negative Declaration and conditionally approve the project.

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

McIlvaine presented the staff report.

Chairperson Tefft opened Public Comment period.

<https://youtu.be/uXKHfMLEvSI?t=29m44s>

Rachel Kovesdi, agent for Greg and Jeanne Frye, presented her report to the Commission.

Brad Schnook, coach for county chapter Surf Rider Foundation, stated his concerns regarding the native sensitive habitat and the prescriptive easement.

Bill McClennan, resident, stated his comments regarding the beach access and his concerns with the retaining wall on the bluff.

Betty Winholtz, resident, stated the Fryes are the owners of an adjoining lot. She also brought up her concerns with the bluff on the north and asked how the fill was going to be held up. She noted the flooding issues would need to be addressed along with the right-of-way in front of the house and prescriptive rights.

Bill Martoni, resident, stated his concerns with the City's fee owned property and how it would be affected by the project. He also noted he understood the front of the house shouldn't be built on the bluff and should be looked at again.

Christopher Fala, resident, stated how he felt about the resistance to the Fryes project but is pleased the Fryes are improving the area with the native plants.

Andrew Wilke, surfer, stated he hasn't seen too many people using the beach access on the Frye's property. He also noted there are other beach access ways which could be used.

Greg Frye, applicant, stated they have taken the necessary steps in order to move forward with the project.

Mike Frye, father of Greg Frye, stated the trail on the property is not very easy to access and he uses other beach access. He also noted the new plants would improve the property.

Melinda Yudi, resident, stated she sees a lot of weekenders using the access because when they cross the street this is the first access to the beach they see. She thinks the parking will eventually worsen as time goes on.

Rachel Kovesdi, agent, answered questions about who owned the two lots and clarified what type of plants would be used on the property. Rachel also answered questions about the setbacks and noted the Coastal Commission has been on site.

Chris Parker, architect, answered questions about the retaining walls.

Chairperson Tefft closed Public Comment period.
<https://youtu.be/uXKHfMLEvSI?t=1h16m22s>

Chairperson Tefft opened Public Comment period.
<https://youtu.be/uXKHfMLEvSI?t=2h14m42s>

Chris Parker, architect, answered questions from the Commission. Parker stated the house is already at the height limit. And part of the design was driven by the shape of the floor plan. He stated the reason for the excavation at the western end of the site was to get more usable yard space.

Betty Winholtz, resident, asked the Commission why the north side marking looks like the 25 foot setback is at the edge of the bluff stream.

Chairperson Tefft stated the ESH 25 foot setback starts at the stream bank, not at the top of the hill.

Chairperson Tefft closed Public Comment period.
<https://youtu.be/uXKHfMLEvSI?t=2h18m47s>

Chairperson Tefft opened Public Comment period.
<https://youtu.be/uXKHfMLEvSI?t=2h43m56s>

Rachel Kovesdi, agent, stated the applicants are not interested in modifying the home if it would require a variance. They would like to work with the Commission on moving forward with the project.

MOTION: Commissioner Luhr moved to continue Item B-1, CP0-419, UP0-383, to a date uncertain with the following directions. Commissioner Lucas seconded the motion. Motion passed (4-0).

<https://youtu.be/uXKHfMLEvSI?t=3h2m58s>

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- Redesign the project to minimize the amount of excavation and removal of natural land form at the west end of the bluff.
- Explore a common driveway configuration through the undeveloped Toro Lane right-of-way such that development on the adjacent lot to south (APN: 065-091-023) could share access. Please provide a conceptual plan of this shared access.
- Alter the architectural treatment to be more aesthetically distinctive and innovative and to relate more particularly to the project setting consistent with the City's Design Guidelines, especially in terms of the northerly façade. Provide more fully rendered elevations of the house.
- Provide a conceptual plan showing the location of a re-routed public access trail through the site and the adjacent undeveloped Toro Lane right-of-way with a link to the trail from the residence. Note what erosion control, grading, and construction would be necessary to install the access. Provide cross section drawings every 20 feet, including two of the existing trail, one of which shows the transition from the existing trail to the new trail.

The Planning Commission also instructed staff to include conditions in a resolution for approval that address prohibition of shoreline protective devices and prohibition of trails through the ESH areas other than for public access and a link from the residence.

C. UNFINISHED BUSINESS - NONE

D. NEW BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS

<https://youtu.be/uXKHfMLEvSI?t=3h3m56s>

Commissioner Lucas announced he was a speaker at the International Society for Environmental Ethics meeting. He noted they were fascinated with the applications Morro Bay was taking, specifically issues with the wastewater recycling plant.

Commissioner Lucas also announced he attended the California Climate Action Conference for Local Planners at Cal Poly. They discussed greenhouse gas emissions and climate action plans.

Commissioner Sadowski announced he attended the Special City Council Meeting which covered the Morro Bay Reclamation Facility. He stated his concerns on the limited technology which will be implemented at the facility. It would limit the City in obtaining funding and the City would be missing out on opportunities for new innovations and performance. He feels it would be a disservice to the community to limit ourselves with this type of technology.

F. COMMUNITY DEVELOPMENT MANAGER COMMENTS

<https://youtu.be/uXKHfMLEvSI?t=3h10m16s>

Graham presented a report on the definition for building height. Graham requested that the Commissioners agendaize an interpretation on the issue.

G. ADJOURNMENT

The meeting adjourned at 9:19 p.m. to the regular Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on September 1, 2015, at 6:00 p.m.

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Robert Tefft, Chairperson

ATTEST:

Scot Graham, Secretary