

AGENDA ITEM: A-2

DATE: SEPTEMBER 7, 2021

ACTION: APPROVED

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – APRIL 20, 2021
HELD VIA TELECONFERENCE – 6:00 PM

PRESENT:	Susan Stewart	Chairperson
	Bill Roschen	Vice-Chairperson
	Jennifer Ford	Commissioner
	Joe Ingraffia	Commissioner
	Vacant	Commissioner
STAFF:	Scot Graham	Community Development Director
	Nancy Hubbard	Contract Planner
	Elena Gerli	Morro Bay City Attorney

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE

ELECTION OF CHAIR AND VICE CHAIR

<https://youtu.be/NYbKxNcdxYg?t=55>

Commissioner Ingraffia moved to nominate Commissioner Stewart as the Planning Commission Chairperson. Commissioner Ford seconded, and the motion passes 4-0 with Ingraffia, Ford, Roschen, and Stewart voting yes.

Commissioner Ingraffia moved to nominate Commissioner Roschen as the Planning Commission Vice-Chairperson. Commissioner Ford seconded, and the motion passes 4-0 with Ingraffia, Ford, Stewart, and Roschen voting yes.

PLANNING COMMISSIONER ANNOUNCEMENTS - NONE

<https://youtu.be/NYbKxNcdxYg?t=195>

PUBLIC COMMENT PERIOD - NONE

<https://youtu.be/NYbKxNcdxYg?t=203>

Public Participation:

In order to prevent and mitigate the effects of the COVID-19 pandemic, and limit potential spread within the City of Morro Bay, in accordance with Executive Order N-29-20, the City will not make available a physical location from which members of the public may observe the meeting and offer public comment. Remote public participation is allowed in the following ways:

- *Community members are encouraged to submit agenda correspondence in advance of the meeting via email to the Community Development office at planningcommission@morrobayca.gov prior to the meeting and will be published on the City website with a final update one hour prior to the meeting start time. Agenda correspondence received less than an hour before the meeting start time may not be posted until after the meeting.*
- *Members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Alternatively, members of the public may watch the meeting and speak during general Public Comment or on a specific agenda item by logging in to the Zoom webinar using the information provided below. Please use the “raise hand” feature to indicate your desire to provide public comment. Each speaker will be allowed three minutes to provide input.*

Please click the link below to join the webinar:

- <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzcwTHlRTk9xaTlmWVNWRFWFUQT09>
Password: 135692

*Or Telephone Attendee: (408) 638-0968 or (669) 900 6833 or (346) 248 7799; Webinar ID: 827 2274 7698; Password: 135692; Press * 9 to “Raise Hand” for Public Comment*

PRESENTATIONS – NONE

A. CONSENT CALENDAR

<https://youtu.be/NYbKxNcdxYg?t=246>

A-1 Current and Advanced Planning Processing List

Staff Recommendation: Receive and file.

MOTION: Commissioner Roschen moved to approve the Consent Calendar. Commissioner Ingraffia seconded, and the motion passes 4-0, with Roschen, Ingraffia, Ford, and Stewart voting yes.

<https://youtu.be/NYbKxNcdxYg?t=270>

B. PUBLIC HEARING

<https://youtu.be/NYbKxNcdxYg?t=300>

B-1 **Case No.:** Appeal of MUP20-02

Site Location: 2460 Main Street

Applicant/Project Sponsor: Brian Der Vartanian DBA Morro Bay Recovery

Proposed Project: Appeal of a Minor Use Permit (MUP20-02) approved February 24, 2021, that allows a change in use from motel to a supportive housing facility, classified under the Morro Bay Housing Element as a residential use. The project was approved administratively pursuant to the requirements under AB2162. This facility will be licensed through the Department of Health and Human Services, State of California. The zoning of the site is MCR/R-4/SP and is not located in the Coastal Appeals Jurisdiction

CEQA Determination: Categorically exempt under Section 15301, minor changes to existing facility.

Staff Recommendation: Uphold Administrative approval of MUP20-02 and deny the appeal.

Staff Contact: Nancy Hubbard, Contract Planner (805) 772-6211

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS – NONE

Hubbard presented the staff report.

The Commissioners presented their questions to staff.

Chairperson Stewart opened the Public Comment period.

<https://youtu.be/NYbKxNcdxYg?t=772>

Ashley Smith, appellant, shared her three (3) main concerns regarding the project; 1) Impact on the Police and Fire Department, 2) Safety issues in the neighborhood, and 3) Impact on the Community. Smith stated the MUP does not accurately address the facilities program, staff, and does not provide information on process of selecting staff for the facility.

Oganes Nardos, applicant, stated he is the Program Director. Nardos described the process his company has taken to receive an approval from the State, City, etc. for the rehabilitation project.

Rich Donald, General Manager of Roadway Inn, stated he was unaware of the project until he started his job. Donald answered many of the concerns he has heard from the community, and noted he lives on site, and if anyone has any questions or concerns, he would be able to help. Donald stated he created a Google group called “North Morro Bay Community forum”.

R. Micheletti, Morro Bay, asked the city to look into other communities with similar facilities to see what type of impact(s) they were facing in their community. Micheletti raised questions about the residents and the facility and asked if the facility was a “for profit” facility or a “state run” facility.

April Hook, Morro Bay, stated her concerns about the safety of the facility and wants to know who made the decision to approve the project.

Emily Macri, Morro Bay, stated her concerns and noted the public comments being made were perpetuating the stigma that’s attached to substance abuse disorders

Tim Gailey, Morro Bay, stated his concerns and voiced his concerns and noted the project should be located at another location in Morro Bay.

Dave Smith, Morro Bay, stated his concerns and asked how the project was approved for the zoning in the neighborhood.

Diane Walling, MB, spoke about her experience in mental health and substance abuse. Walling spoke about the illegal activities pertaining to Nardos and other associates and noted Nardos’ past criminal activities should’ve been a red flag.

Eric Dudley, Morro Bay, stated his concerns with the project and was disappointed in not receiving responses from the city staff.

Susan Mc Daniel, Morro Bay, spoke about her experience in mental health and stated her concerns and questions regarding the project.

Judy, Morro Bay, wanted to know how patients were vetted. Judy was concerned the rehab center would allow sexual offenders as patients and wanted to be sure the children and the community were protected.

Natalia Merzoyan, Morro Bay, stated she doesn't think Morro Bay is the right place for this type of project. She is concerned for the safety of the children.

Tyler Smith, Morro Bay, is against the project and stated as a firefighter he has responded to numerous calls to facilities like this. He would like the Commission to vote no on the project, and hopes they consider all of the comments made by the public.

Donald Headland, Morro Bay, would like the Commission to vote no on the project. He is concerned for the safety of the community's safety and doesn't think the project is appropriate for the neighborhood.

Chairperson Stewart closed the Public Comment period.
<https://youtu.be/NYbKxNcdxYg?t=4803>

The Commissioners presented their questions to the applicant.

Nardos responded to the Commissioners questions.

Nathan Parks, MB, presented his questions and concerns.

Michelle Lichester-Catteray, Morro Bay, presented her questions and concerns.

Chairperson Stewart closed the Public Comment period.
<https://youtu.be/NYbKxNcdxYg?t=4802>

The Commissioners presented their questions to staff.

Hubbard responded to the Commissioners.

Nardos responded to questions from the public and the Commissioners.

Response from staff, city attorney and applicant were heard.

Ashley Smith, appellant, presented her questions to attorney Gerli.

Gerli responded to Smith's questions.

Discussion between the Commissioners.

MOTION: Commissioner Roschen moved to approve staff recommendation to deny the appeal. Commissioner Ingraffia seconded, and the motion passes 4-0, with Ingraffia, Roschen, Stewart and Ford voting yes.

<https://youtu.be/NYbKxNcdxYg?t=8231>

B-2 Case No.: UPO-024

Site Locations: 1130 Napa, APN: 066-280-036 (Morro Bay Elementary School).

Project Description: Planning Commission review of Special Use Permit No. UPO-024, that was approved by the City Council on November 22, 2004. The Special Use Permit allowed for a number of uses at the Morro Bay Elementary School that were at a scale and intensity compatible with the neighborhood and facility, consistent with Morro Bay Municipal Code Section 17.30.030.S.

CEQA Determination: The City's original approval of UPO-024 was exempt from the California Environmental Quality Act (CEQA), pursuant to section 15301 as the permit was associated with the use of existing public facilities, minor alteration, repair, maintenance, leasing and involved negligible expansion of the existing use. Review of the UPO-024 falls under the same exemption.

Staff Recommendation: Planning Commission review the staff report, allowed uses and existing uses, and provide comment.

Staff Contact: Scot Graham, Community Development Director (805) 772-6291,

sgraham@morrobayca.gov

<https://youtu.be/NYbKxNcdxYg?t=8663>

Graham presented the staff report.

Chairperson Stewart opened the Public Comment period.

<https://youtu.be/NYbKxNcdxYg?t=9355>

Natalia Merzoyan, Morro Bay, expressed her concerns regarding the school.

Betty Winholtz, Morro Bay, presented her questions and concerns to the Commission.

Judy, Morro Bay, expressed her concerns regarding the school.

Chairperson Stewart closed the Public Comment period.

Graham responded to the public comment questions.

Planning Commission reviewed and filed.

<https://youtu.be/NYbKxNcdxYg?t=10234>

C. NEW BUSINESS - NONE

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS - NONE

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

<https://youtu.be/NYbKxNcdxYg?t=10317>

Graham announced there is an opening for a Planning Commissioner seat and encouraged people to apply. The deadline for applying is on April 30, 2021. If anyone is interested, please retrieve information on the City of Morro Bay's website or contact him.

G. ADJOURNMENT

The meeting adjourned at 8:53 p.m. to the next scheduled Planning Commission meeting via teleconference, on May 4, 2021, at 6:00 p.m.

Susan Stewart, Chairperson

ATTEST:

Scot Graham, Secretary