



**AGENDA NO: B - 1**

**MEETING DATE: August 1, 2023**

**AGENDA CORRESPONDENCE  
RECEIVED BY THE PLANNING  
COMMISSION FOR PUBLIC REVIEW  
PRIOR TO THE MEETING**

**From:** [Rigmor Samuelsen](#)  
**To:** [PlanningCommission](#)  
**Subject:** Re; 1140 Allesandro Project. Great project. Hard to believe , you would NOT approve . R4 zoning. City get a lot , for giving up a little snip of the City ROW. Rigmor  
**Date:** Monday, July 31, 2023 3:59:25 PM

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**CAUTION:** This is an external email. Please take care when clicking links or opening attachments.

**From:** [Nancy Hubbard](#)  
**To:** [Scot Graham](#)  
**Cc:** [Christina Azevedo](#)  
**Subject:** Fw: agenda item b-1, use this one  
**Date:** Tuesday, August 1, 2023 2:24:01 PM

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**From:** betty winholtz <[REDACTED]>  
**Sent:** Monday, July 31, 2023 2:31 AM  
**To:** Bill Roschen <broschen@morrobayca.gov>; Joseph Ingraffia <jingraffia@morrobayca.gov>; Mike Rodriguez <mrodriguez@morrobayca.gov>; Asia King <aking@morrobayca.gov>; Eric Meyer <emeyer@morrobayca.gov>  
**Cc:** Nancy Hubbard <nhubbard@morrobayca.gov>  
**Subject:** Fw: agenda item b-1, use this one

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I am re-sending because I forgot to sign my name.  
Betty

Dear Planning Commissioners:

I appreciate the link to the Concept Review in 2021.

What is the definition of deferral in terms of length of time? This concept is not found in the Zoning Ordinance. There should be a deadline. Exhibit B, A-7, does not show deferred improvements.

"the scope of full frontage improvements (curb, gutter, sidewalks) along both streets would be disproportionate to what is normal and customary for a parcel of this size." Doesn't matter. These are like the through lots (Alder to Greenwood) in north Morro Bay. It's okay to require improvements on both streets. Regardless of shape, requirements should be upheld. If the developer can't meet the requirements then he is asking for too many lots or too large of units. There are no public benefits on Marengo from which the gift of right-of-way is being given.

There is tree removal, and visually more trees are shown on drawings; however, trees are not mentioned in the Conditions.

Where in the Zoning Code is this kind of development defined? By definition, is this a "community housing project? Is this a subdivision? Is this a compact in-fill development? Without naming it, how can you evaluate whether it meets zoning standards?

Under State law, each garage can be an ADU. Potentially, you are approving a 10-unit development, even 12-unit if you count the potential for the Unit A and E shops to also be housing. State law does not let you require off-street parking. The impact to this residential block is a game-changer.

Which unit is the 55-year restricted low income unit?

Why are the size of the lots not given? What are they? If one adds the Living Areas + Garages + Shops, all are substandard, and 3 are smaller than the substandard lots of 2500' in north Morro Bay.

"Three common-use parking spaces including a van accessible space."  
Does the term "van accessible" mean ADA van accessible?

All setback requirements are violated. Rather than allowing smaller setbacks, reduce the size of the buildings. Or, like other streets in town, i.e., Las Tunas/Balboa and Juniper/Maple allow "bridges" from street to front door that create setbacks.

Sincerely,  
Betty Winholtz

**From:** [Dana Swanson](#)  
**To:** [Scot Graham](#); [Nancy Hubbard](#); [Christina Azevedo](#)  
**Subject:** FW: Tonights Planning Commission Hearing  
**Date:** Tuesday, August 1, 2023 2:25:52 PM

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**From:** Terry Simons <[REDACTED]>  
**Sent:** Tuesday, August 01, 2023 2:24 PM  
**To:** Dana Swanson <dswanson@morrobayca.gov>  
**Cc:** Eric Meyer [REDACTED]; Betty Winholtz <winholtz@sbcglobal.net>  
**Subject:** Tonights Planning Commission Hearing

**CAUTION:** This is an external email. Please take care when clicking links or opening attachments.

Dana,  
Please forward the following comments to the Planning Commission regarding the Allesandro St Multi unit/ Live Work Project.

Thanks,  
ts

Comments re 1140 Allesandro St Project:

My summary comment-  
The project is overbuilt and under parked.

In support of this conclusion I would like to point out a few project specifics:

Existing Site development-

The site has been developed with a commercial use (cabinet shop) that has been a significant asset to the community providing a much needed service to the local development community. Unfortunately, the advent of centralized home improvement centers like Home Depot and their ability to provide sophisticated cabinets at substantially reduced cost to contractors and developers has managed to put most of our local cabinet shops out of business. This is just one more example of the "progress" we have made with globalization of our supply chain of goods and services. Fortunately for the Luhr family, as owners of the underlying real estate, have the opportunity to redevelop the site and further their business as a potential "Live-Work" situation. It is not clear it that this is their specific intention but it nice to see that the potential for small businesses to continue to have an opportunity to find a home in Morro Bay.

Because the historic building encroaches into the public right of way, the development has been given the benefit of a granting of public property that allows them to significantly increase the density (and value) of the project. While it seems reasonable that when the encroachment was discovered in the 1990's to allow the building to remain in service, I am concerned as to the precedent setting implications of this granting of public property to a private property and the simultaneous waiver of statutory requirements for public improvements on the Marengo frontage. The staff report indicates that these improvements are

to be "deferred" but there does not seem to have a specific timeline or triggering mechanism that would invoke the completion of these deferred improvements. At the very least, it seems that the minimum improvement along Marengo should be Concrete Curb and Gutter with connecting walkways to the entrance to each residential front door. This will at least put the anticipated overflow parking in a better defined and engineered alignment to protect the potential for erosion from storm water and incidental damage to the existing AC berm.

Looking at the building plans for development above the existing shop spaces seem to indicate that serious structural issues will need to be resolved that would be easily dealt with if the end of the existing building was simply demolished and replaced with a comparable structure to match the proposed building facade. This may be what is anticipated but not clearly delineated in the plans.

Building size, design and architecture-

This is a reasonably attractive project and considering the recent work of the PC to add "Objective Building Standards" into the MB Zoning Ordinance, it seems like this would be a good "test case" to evaluate with objective design standards. I am concerned that the much detailed work by staff to find a parking standard for "Live-Work" seemed to go all over the state in search of a good objective standard. But, in the end, Staff deferred to the lack of a parking standard giving the Director discretion to make the parking requirement. Even more concerning is that in lieu of a defined standard for the Director, the staff reports they looked at the provided parking and determined it to be "good enough". This does not provide any meaningful direction to future live-work parking requirements and only furthers the subjective nature of Directors determination without any particular standard being put forward. We are left with the same question: what is the parking standard for Live-Work?

There are an interesting number of different size and building plan arrangements in the project and some striking visual elements that might want to be discussed by the Commission. Specifically the three story tower on the westerly end of the project. One thing that is addressed is the requirement for an inclusionary housing unit but none is actually specified in the plans. While the 4BR unit would seem like a good candidate for housing the low income community, as it is probably the most valuable unit in the project and with for bedrooms has the potential to be the largest traffic generator, I would suspect that one of the 2BR units will ultimately be defined a meeting the low income standard. While the units are considerably different in size, they all share the same 2 car garage (with additional space provided). Since these are more than just statutory garages, it seems apparent that they will be less likely to actually function as garages and more likely add to the off-site traffic impacts in the neighborhood.

The Architect has done a good job of providing an interesting streetscape on the Marengo frontage. With the exception of the slight overlapping roof lines between units B&C it is not a bad view for the neighbors. I think that the potential for parking conflicts are more likely to be the long term issue with this project. The colors and textures seem pleasing and neighbor compatible.

I feel that the commission should focus on reducing the impacts of this project on the neighborhood as to parking while at the same time continuing to insure that there remains a viable economic project for the developer.

Thanks for your consideration,  
ts [REDACTED]

**From:** [Nancy Hubbard](#)  
**To:** [Scot Graham](#)  
**Cc:** [Christina Azevedo](#)  
**Subject:** Fw: Agenda Item B-1, Aug 1 PC Meeting  
**Date:** Tuesday, August 1, 2023 2:26:31 PM

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**From:** Cindy Jacinth <cjacinth@morrobayca.gov>  
**Sent:** Thursday, July 27, 2023 4:20 PM  
**To:** John Mandeville [REDACTED]  
**Cc:** Nancy Hubbard <nhubbard@morrobayca.gov>; Scot Graham <sgraham@morrobayca.gov>  
**Subject:** RE: Agenda Item B-1, Aug 1 PC Meeting

Hello John,

Hope all is well. Nancy Hubbard as the project planner is the best person to answer your questions about this project. I can clarify that in regard to the relationship between the GP/Local Coastal Program and the Zoning Code, the City Council did adopt last November a new Zoning Map and a comprehensive update to the Zoning Code (Ordinance 654). However, we have been hung up with Coastal since then trying to get our Zoning Code/ Coastal Implementation Plan (IP) certified. The key issue is that because the Zoning Map, Zoning districts, and development standards (among other chapters) are part of the IP, those portions of the IP which implement the Coastal Land Use Plan (LUP) are not legally effective until they have been certified by Coastal. Unfortunately, that puts the City in a difficult situation in that the General Plan/ Coastal Land Use Plan have been updated/certified but portions of our Zoning code have not yet by Coastal.

I have copied Nancy on the email so that she can separately respond to you other questions.

Cindy

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**From:** John Mandeville <[REDACTED]>  
**Sent:** Thursday, July 27, 2023 2:50 PM  
**To:** Cindy Jacinth <cjacinth@morrobayca.gov>  
**Subject:** Agenda Item B-1, Aug 1 PC Meeting

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Hi Cindy. I'm trying to understand a statement in the subject item staff report. The staff report says:

"Although the recently adopted updated General Plan/Land Use Plan changed the designation on this site to General Industrial, the current zoning code allows mixed use development."

That statement seems to be saying that the City hasn't gotten around to updating the zoning designation on the applicants property to be consistent with the updated GP/LCP map, so the City is reviewing the application under the old rules that are no longer consistent with our new policies.

That is illegal and I'd hate to see the City engage in such bad practice.

The inconsistency appears to be between what the old zoning designation allows and the GP/LCP requirements regarding new residential buildings. The GP/LCP description of the General (Light) Industrial land use area says (in essence) industrial uses are generally not compatible with residential or most commercial uses. "Existing residential buildings are permitted and are considered conforming."

This last sentence establishes a distinction between existing residential buildings that will be considered conforming and new residential buildings that will be considered non-conforming (or prohibited).

There is no discussion in the staff report about how the new residential buildings are determined to be consistent with the GP/LCP land use requirement. This is essential because the Commission is being asked to make the finding that they are consistent.

As you know the GP/LCP policies sit atop the hierarchy of land use and the findings of consistency must be supported by evidence in the record. That is clear in the Government Code and explained well in the 2022 edition of Solano Press's California Land Use and Planning Law. Zoning must be consistent with the adopted plans. Consistency isn't supported by any analysis (evidence) right now. If it can't be, then the application as is has to be denied. You could deny without prejudice and have them re-apply with an application to amend the GP/LCP land use designation in a way that supports their application.

There is also no discussion in the staff report about the other GP/LCP requirement for a .5 floor area ratio. Is it being met? How does the new development stack up to this requirement?

Please let me know if I'm misunderstanding the quote from the staff report and the existing situation between the zoning and the GP/LCP.

Thanks,

John Mandeville