



AGENDA NO: B-1

MEETING DATE: November 7, 2023

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

Agenda Correspondence for Planning Commission Mtg 11/7/23 - Item B-1

JH

Jeffrey Heller [REDACTED]

To: **Planning Commission**; Scot Graham; Cindy Jacinth

Mon 11/6/2023 10:34 AM

231106-AFFORDABLE HOUSING DISTRICT CONCEPT - DOWNTOWN MORRO BAY-JRH.pdf

Downloaded



Dear Commissioners and staff

This item asks that you approve various loose ends in the Plan MB Zoning Code/Coastal Implementation Map.

Many good ideas re: Affordable Housing were expressed at the Town Hall last week which focused on the Downtown/Main Street plan. I have attached a sketch of one of the ideas ("Affordable Housing District") whereby the blocks behind Morro Bay Blvd. and Main Street become these districts.

Considering how urgent our need for this type of housing---would it be possible for the Planning Commission, the committees involved and staff to focus the next 30-60 days on creating the development standards for such a district which could be quickly agendized for Council's review and possible approval? If so, would it make sense to pause the approval of item B-1 until the "Affordable Housing District" could be rolled into the document?

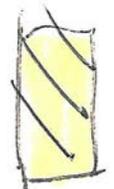
Please consider this option. I consider it to be urgent.

Thank you for all you work you do for Morro Bay!

Jeff Heller
[REDACTED]

u/lets
JRH

"Affordable Housing Districts"



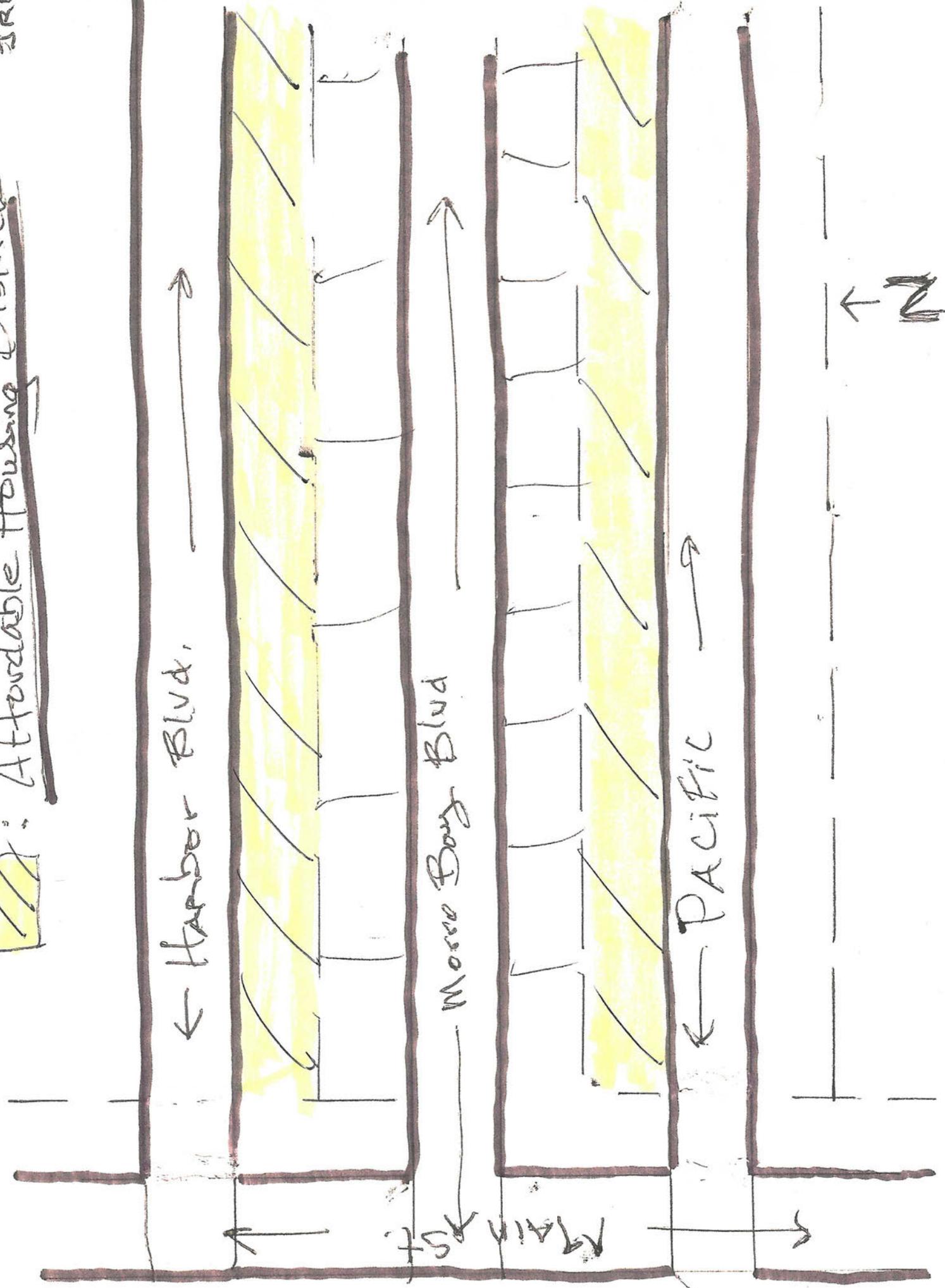
← Harbor Blvd.

← Morse Bay Blvd

← Pacific

↑ MAIN ST

← N



From: betty winholtz [REDACTED]

Sent: Monday, November 06, 2023 10:38 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: Scot Graham <sgraham@morrobayca.gov>; Cindy Jacinth <cjacinth@morrobayca.gov>

Subject: agenda item b-1

Dear Planning Commissioners:

I appreciate that errors are being corrected: Eagle Rock, government buildings, Zanzibar.

I bring to your attention two properties that have the same issue--use not matching zoning--but one is being changed and the other is not. This is inconsistent.

One is on the list at Alder. It is a long time motel that matched its zoning until the update when the zoning classifications were redefined. Prior to the change, the City allowed motels in residential zones; the new zoning ordinance says they are no longer allowed. (Ironic since we allow vacation rentals in residential zones.) For blocks, Alder is residential. The recommendation reclassifies this property at Community Commercial due to current use. When this property gets redeveloped (it's an 80-year-old motel), would we not want it to be zoned Residential to match the rest of the street and the neighborhood? Why not leave it Residential as legal non-conforming? Otherwise the future developer will have to pay thousands of dollars to rezone it.

The other property is not on the list. It is the El Moro Elementary campus. Currently, it is zoned high density Residential. The use has never been Residential; my guess is it was reclassified for the sake of the school district in anticipation of redevelopment, giving them a financial advantage of not having to pay for rezoning (an advantage not given to the Alder property). The property should be reclassified as Public Facility to match its use along with the rest of the government buildings, and to be consistent with the reason for reclassifying Alder.

If the City's point is to remove inconsistencies between use and zone, and to not have legal nonconforming lots, all lots should be treated the same.

Sincerely,
Betty Winholtz

11/7/23 Planning Commission Item B-1: 2830 Alder zoning

☐

SG

Sean Green

To: Planning Commission

Mon 11/6/2023 5:06 PM

Planning Commission,

As you discuss zoning consistencies tonight for a handful of specific parcels, please ask if the GP/ZC's original intention might actually have been to zone 2830 Alder as RM (residential medium density) as shown below, which is more consistent with Alder (east) and the adjacent neighborhood than the proposed NC (neighborhood commercial). Mixed-use zoning such as NC offers flexibility, certainly, but is only as effective as the mix of uses that pop up; if applied to this large parcel in a primarily residential neighborhood and block, NC zoning is likely to reduce (or at best, maintain current) residential multi-family housing stock in town, whereas maintaining RM zoning here would likely maintain or increase our city's residential multi-family housing stock long term. It seems worth a brief discussion, at least, if there's still a chance to reconsider, as multi-family housing supply continues to be preached more than practiced in jurisdictions everywhere, and simply allowing multi-family use as one of dozens of possible uses in a mixed-use zone is rarely enough to move the needle.



Thank you for time and thoughtfulness,

Sean Green
Morro Bay, CA



AGENDA NO: C-1

MEETING DATE: November 7, 2023

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

Dear Members of the Morro Bay Planning Commission:

Please include my email (below) to City Council Member, Cyndee Edwards, as public comment on the proposed 3300 Panorama Drive housing development for the Morro Bay Planning Commission on November 7, 2023.

At the October 29, 2023 neighborhood meeting with Cyndee, neighbors testified to the instability of the slope where the Panorama project is sited, specifically noting visible slides of earth and rock after heavy rains last winter and the bent over power lines along Panorama Drive as evidence of the "Very High Potential for Landslide Susceptibility" as documented in the *Plan Morro Bay* (adopted 2021). I live on Rennell St which borders the outer SW edge of the Panorama project and is in the 'Very High Potential for Landslide Susceptibility' designation. I join my neighbors in expressing our grave concern for our personal safety and property risk when this unstable slope is significantly disrupted to build a 48 unit housing development immediately above us.

I have also included screen shots of the relevant sections of the city's general plan below.

Sincerely,
Susan Hammond and Patrick Clarry

[REDACTED]

----- Forwarded message -----

From: Susan <[REDACTED]>
Date: Sun, Oct 29, 2023 at 4:14 PM
Subject: Re: Cyndee Edwards Oct 29
To: Carole Truesdale <[REDACTED]>
Cc: Cyndee Edwards <cedwards@morrobayca.gov>, Patrick Clarry <[REDACTED]>

Dear Cyndee:

Thank you for facilitating a N. Morro Bay neighborhood meeting to discuss our concerns with the proposed 48 unit housing development on 3300 Panorama. We appreciate your interest, advocacy, and leadership.

I am attaching screen shots of the Plan Morro Bay, (adopted August, 2021) Public Safety, Landslide & Seismic Hazards section which begins on page 4-99. Figure PS-4 'Landslide Susceptibility' identifies areas of 'Very High Potential' within the project area. In particular the land immediately bordering Panorama running south from along the top of Whidbey, Trinidad, Sicily & Rennell Streets which are immediately below the project are identified as 'Very High Potential for Landslide Susceptibility.'

The documented catastrophic risk to the property and safety of the residents living directly below this project, when significant disruption of the ground triggers a landslide(s) should compel city leaders and staff to render the project too unsafe to proceed.

Sincerely,
Susan Hammond



2:54

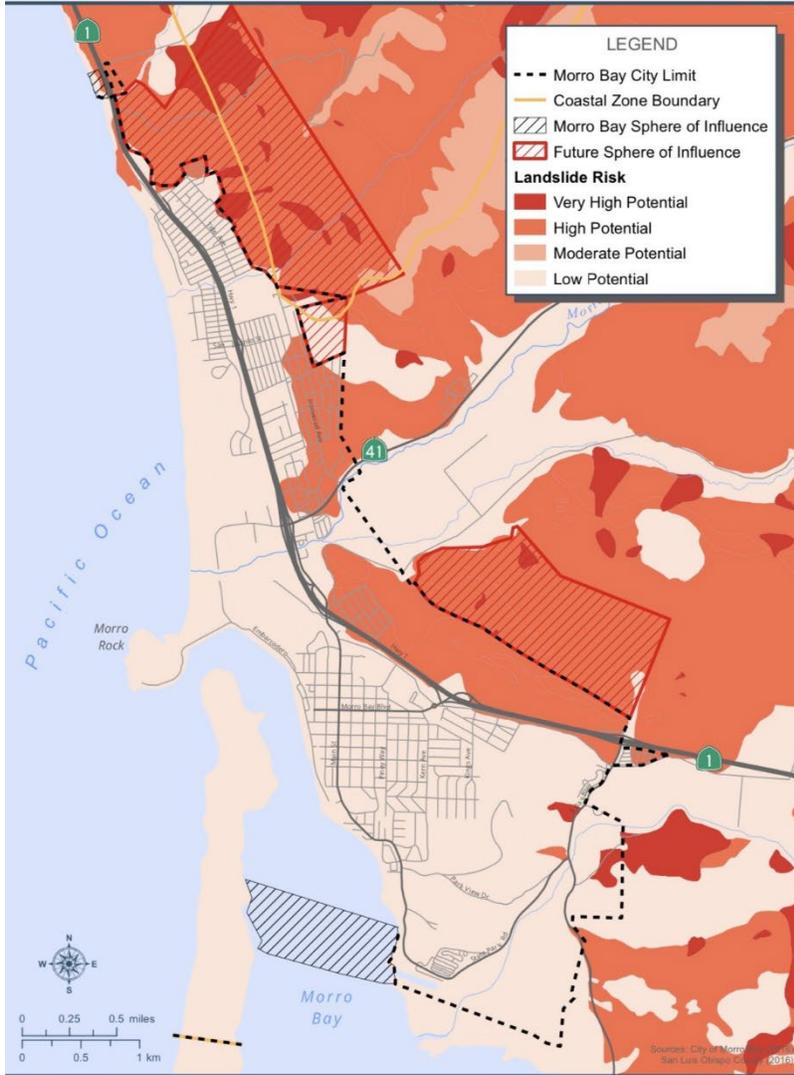


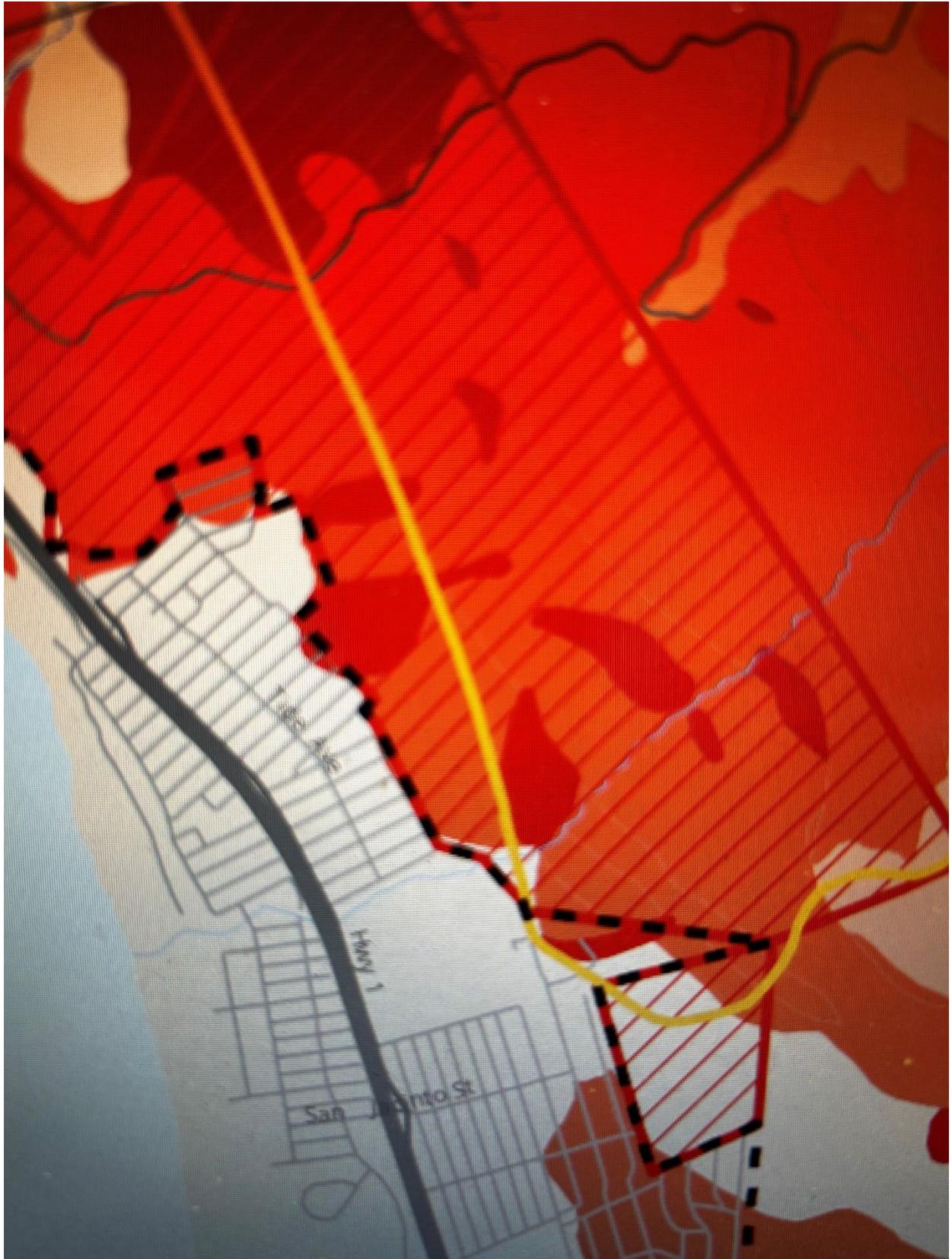
✕ morrobayca.gov

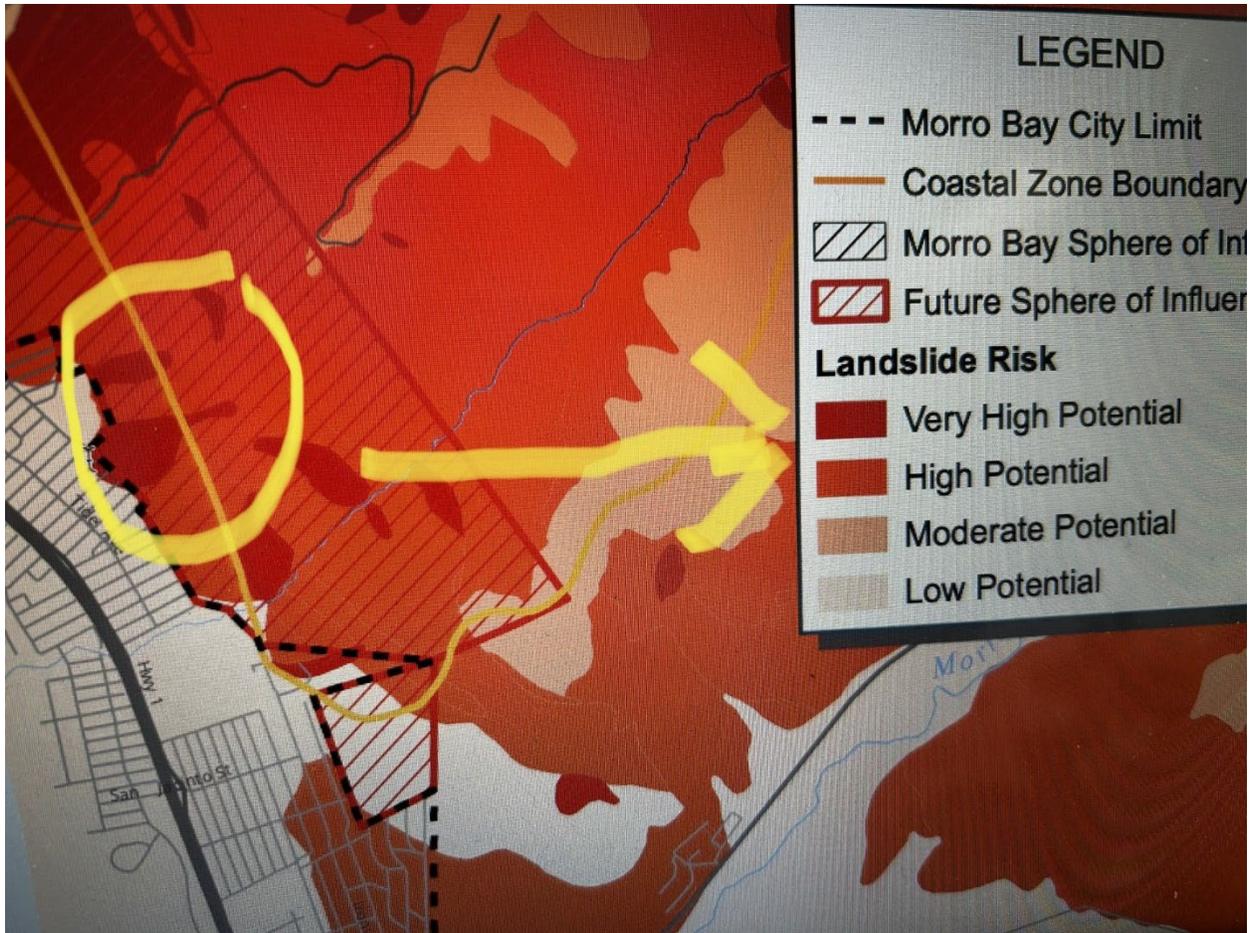


FIGURE PS-

Landslide Susceptibility



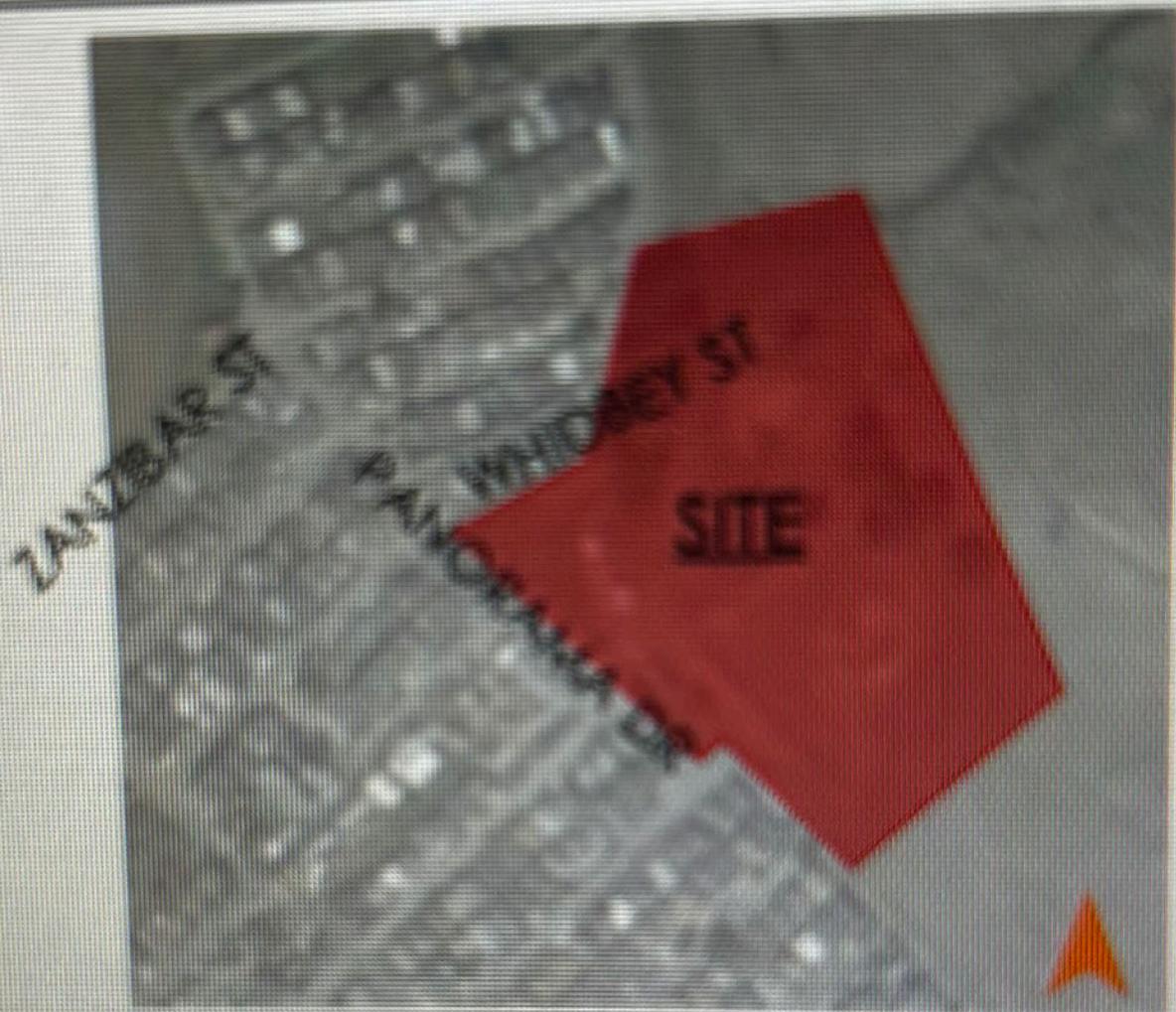






PERSPECTIVE VIEW - Location De

VICINITY MAP



PROJECT DESCRIPTION

THE SCOPE OF THIS PROJECT IS A 48 LOT PLAN UNIT DEVELOPMENT ON THE DECOMMISSIONED US NAVY JET FUEL STORAGE FACILITY. LOT SIZES RANGING FROM 2,842 SF TO 6,000 SF. THE LOTS VARY IN THEIR CONFIGURATION: FRONTING PANGRAMA, SMALLER INTERIOR, DOWNHILL AND UPHILL.

From: [REDACTED]
Sent: Thursday, November 2, 2023 1:03 PM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: Rewrote letter RE: 3300 one of my PPGS got too wordy and Word put it in a defferent font

Subject: Concerns About Subdivision Conceptual Review - Case Number CUP22-05 at 3300 Panorama Drive

Dear Nancy Hubbard and all concerned parties,

I hope this letter finds you in good health. I am writing to express my deep concerns regarding the proposed 48-lot subdivision conceptual review for the property located at 3300 Panorama Drive, under case number CUP22-05. As a long-standing resident of Morro Bay, I have had the privilege of experiencing the natural beauty and delicate ecosystems of our community, which have led me to share my thoughts and apprehensions with you.

First and foremost among my concerns is the potential impact of this development on the land use in the Panay Flood area. I have a personal connection to this area, as I have built my home at [REDACTED] directly across from the heritage land and the mysterious Panay landslide area. When I embarked on the construction of my home, I did so with profound respect for the natural environment, human safety, and a deep awareness of the precious flora and fauna inhabiting this heritage land. To me, this terrain is not just soil and trees; it is an integral part of our local ecosystem, stretching from the "Great Basin" to the golden shores of the Pacific Ocean.

Many fellow homeowners and residents of Morro Bay share my sentiments, considering this area a magical cornerstone of our town. The preservation of this land and its natural harmony is a collective aspiration that extends through generations. However, I understand that the realities of development often take precedence, especially when significant financial interests are at stake.

It is no secret that the 3300 Panorama Drive tract will inevitably undergo development, driven by powerful economic forces. I lament the idea that even in a place as unique as Morro Bay, there appears to be a price tag attached to our land. Nevertheless, I digress

from my personal opinions at this juncture. I acknowledge that pragmatism and economics often prevail over ideals of goodness, preservation, and even safety.

Nevertheless, I believe it is crucial to present a perspective that accounts for the historical context and potential risks associated with the Panay mudslide zone. This expansive and enigmatic region, which I estimate to cover over 100 acres, has witnessed significant devastation in the past. While I am not an expert in geology or disaster prevention, I cannot help but harbor concerns about the potential for future catastrophic events, akin to those witnessed in La Conchita, Montecito, and Malibu in 1982. The potential loss of life and property damage could be profound.

Therefore, I implore the Morro Bay community development authorities to recognize the significance of preserving and, if necessary, mitigating the risks associated with the Panay mudslide zone. The development plans should encompass measures to reduce water flow, create trails, and implement strategies to mitigate fire risks, especially given the prevalence of hazardous eucalyptus stands in the area. The fear of impending wildfires is palpable, and we must take proactive steps to minimize this risk.

I propose the concept of creating permanent xeriscaped landscapes, featuring native grasses and reduced greenery, not as a compromise to beauty but as a crucial measure to enhance safety and reduce the risk of fire. While this approach may appear counterintuitive to some, it can serve as a protective barrier for our community against the devastating impacts of wildfires.

Furthermore, it is essential to consider the role of natural ground features, as unconventional as ground squirrels may seem to some—they may provide natural absorption of excess water flow (an objective Environmental Impact Statement would help clarify this). This land is unique and appreciated by thousands who see the vast expanse turn into a Malibuesque interpretation due to the lure of the dollar. The expansive clay soil in this area has, over time, supported its own unique ecosystems, including burrowing vulture caves in that region (known to locals). It serves as a habitat for mountain lions, deer, and various other wildlife, but in its current state as scrubland, it is better preserved. It may have housed goats at one point, and that might have been preferable (locals will understand).

Resisting the allure of a Disneyesque approach to development, which can often compromise the innate magic of a region, is of paramount importance. This sentiment is increasingly relevant in a state where such artificial and tamed developments are commonplace.

In conclusion, I appreciate the opportunity to convey my concerns and suggestions regarding the 3300 Panorama Drive subdivision conceptual review. While I understand the influence of economic interests in such decisions, I sincerely hope that the voice of the community and the imperative of preserving our unique and fragile ecosystem will receive the consideration they deserve.

Thank you for your time and attention to this matter. I eagerly anticipate any opportunities for dialogue and collaboration that may arise as we collectively strive to ensure the sustainable development of our beloved Morro Bay.

--

Tom Tom

-----Original Message-----

From: Joan Fee [REDACTED]
Sent: Monday, November 06, 2023 7:00 AM
To: Planning Commission <planningcommission@morrobayca.gov>
Subject: Panorama Project

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

Morro Bay Planning Commission,

I live at [REDACTED] and am very concerned about the proposed Panorama housing development.

My family has owned property in North Morro Bay since the early 1960's. During a very wet year back in the 80's, my father put out a stake at our vacation home on Orcas St. and observed it during the year. It moved three feet. I observed a house above it with severe structural damage and the house across the street had to have many repairs. At the same time, the house above where I live, separated and had to be demolished. A house was rebuilt without any stabilization. Houses above me had pilings put down 30 feet. I know a gentleman who worked on the houses during this time and could be a valuable resource of things that were done at that time.

How can the city even consider putting houses up on this property given the history of slides and much damage to the surrounding area?

Joan Martin Fee
[REDACTED]

Reply

Reply all

Forward

From: Theresa Pena [REDACTED]
Sent: Sunday, November 05, 2023 1:13 PM
To: Planning Commission <planningcommission@morrobayca.gov>
Subject: 3300 Panorama

Greetings.

Unfortunately I am unable to make it to the meeting that is being held on Tuesday November 7th.

I would like to express my concerns regarding the proposed project at 3300 Panorama in writing.

TRAFFIC

There are several streets that run perpendicular to Tide and have no stop signs. Many drivers buzz right down these streets without caution, making Tide St dangerous. This will worsen as more homes and more vehicles come to the neighborhood.

The traffic light at Yerba Buena is already a problem... The street on the East side of Highway 1 is narrow near the condos and people have to slow and squeeze by. Additionally, many vehicles at the stop sign on Main go through without regard to those turning off of the highway to go East on Yerba Buena. This is a chronic issue. Also, it is common that people blow through the 4 way stop at Tide and Yerba Buena in attempt to make the green light before it changes. I live at this corner and see this happen regularly. These things will also worsen as more homes and more vehicles come to the area.

I do not look forward to the additional and worsening noise pollution from vehicles traveling on Yerba Buena. This is already a heavily used street with many loud vehicles.

LAND

I am concerned about the extra weight and burden on the land at 3300 Panorama from this development and how it may impact the foundations of those who live West of the project. My foundation is already sloping and my gates are no longer even. This has worsened over the last 10 years and I can't help but imagine that it's possible that this development may add to this problem for many of us.

PARKING

Parking is already an issue in this neighborhood. Many people have more vehicles than they can park in front of their own homes. Our streets are littered with vehicles and it looks terrible.

I understand that there will be visitor parking planned in this development, however it will likely not be enough. If residents in the development were to have people over, or dinner parties, the guest's vehicles will spill out onto our streets and in front of other residents homes.

We don't need more vehicles littering this tiny neighborhood of narrow streets.

Thank you for your time.

Kind regards,

Theresa Pena

From: Donna Cardoza [REDACTED]
Sent: Sunday, November 05, 2023 11:51 AM
To: Planning Commission <planningcommission@morrobayca.gov>
Subject: Hearing

To Planning Commission

I have been an owner in Morro Bay for over 23 years. I received a notice of a Hearing to allow a 48 units to be built on Panorama Drive. Which is in my area of ownership. My comments pertain to a large development of 48 units as I am not in favor of allowing that large of a community to be built especially on that particular ground. Morro Bay cannot handle the owners as it is now. Streets are always congested and walking paths. I hope you do not go forward with plans. You limited the Short Term Rental to the Morro Bay area which bring vacation money to the community but will allow large project?

As I said my comment is to avoid the environmental problems on that particular partial is please reconsider.

Thank you
Donna Costa

From: Dorflinger [REDACTED]
Sent: Thursday, November 02, 2023 11:14 AM
To: Planning Commission <planningcommission@morrobayca.gov>
Cc: nhubbard@morrobayc.gov
Subject: 3300 Panorama

Please abide by the Planning Commission's Guiding Principle that "development is to fit into our small town image." The proposed development on Panorama fails in this regard. Tahiti Street being the traffic entrance would destroy our neighborhood; that is where I live.
Richard Dorflinger

Jeffrey Heller [REDACTED]
To: Planning Commission
Cc: Scot Graham; Cindy Jacinth; Chris Neumeyer

Mon 11/6/2023 12:37 PM

Here are my questions/comments.

1. The reduced number of units presented here, when compared to the 70 unit presentation in April 2023 is far more appropriate for the site and Morro Bay in general, although it would be best if the final unit count does not exceed 45 per Plan Morro Bay.
2. Since the development plans for the adjacent Panorama Dr. are not part of this conceptual package---I believe all 29 guest parking spaces need to be incorporated onto the site, rather than having 9 on Panorama Dr. as shown in this package.
3. The minimum width (curb face to curb face) of the private streets should be no less than 32 ft, which is the street width of the Morro Cove development across from Franklin Riley Park.
4. Working within the proposed street and public benefit footprint, the number of "affordable units" needs to be increased from 10% to at least 20% (10 units), with an appropriate density bonus calculated. 5 of the units should be provided for the "low to moderate" income level (50-80% of AMI), and 5 for the "very low" income level (30-50% AMI). These should be 55 year deed restricted rental units; they could be smaller than the standard units proposed and should be evenly distributed throughout the development. MB Muni Code 17.50.040, items A1 and A2 outline the density bonus calculations. I believe the Planning Commission has the authority to make this recommendation to the City Council, and the Council has the authority to mandate the 20% figure. Accepting "in lieu fees" postpones the development of affordable units. We need affordable housing units now; this development is large enough to accommodate the 20% figure. .

I would like the developer to resubmit conceptual drawings which incorporate the 4 items listed in this email.

Lastly---I have major concerns about the negative impacts this project will impose on the adjacent neighborhoods and our City's infrastructure. However, I understand additional studies addressing these issues will be forthcoming.

Jeff Heller
Morro Bay City Council
2018-2022
[REDACTED]

Chenda Lor [REDACTED]
To: **Planning Commission**

Mon 11/6/2023 7:05 PM

Hello Planning Commission.

I am the property owner of [REDACTED] down hill from this project and I'm not able to attend the workshop this evening but wanted to express my support for this project.

I support smart growth and added housing. The proposed project has many benefits for the community. The improved walking trails and road access to open space will allow continued, more accessible use by the locals. Other public improvements include additional neighborhood parking which can be challenging especially on weekends in this neighborhood. It will also add much needed housing to meet the huge need in Morro Bay, the County, and the State.

I also think the plans for the different grades of residential units are aesthetically pleasing, modest homes that are practical and logical for the neighborhood conforming to current building and design codes. The planning team has also made adjustments to the previous plans based on suggestions from previous public input work sessions. I think it would be foolish and exclusionary to block this project and smart to allow development to happen with the thoughtful planning that has happened to get the project to this phase. The improvements will add value and public amenities to the neighborhood developed with the concerned neighbors' input. Future developers may not be so accommodating.

Sincerely,
Chenda Lor

Zara Landrum
To: Planning Commission

Mon 11/6/2023 7:44 PM

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From: Candace Harding [REDACTED]
Sent: Monday, November 6, 2023 7:35:39 PM
To: Zara Landrum <zlandrum@morrobayca.gov>
Subject: 3300 Panorama

I am sorry I am unable to make the meeting on 11/7. I sent this the email I was given and he said he was not the one and back to you all. Please forward to the correct person, please this is to important.

Please, Please, Please do not allow this to happen. It seems so obvious to us as homeowners here that this makes no sense. Water of course is an issue. I am concerned about that as well as the fact that the hill can and probably will LANDSLIDE and cause people to lose there homes both the new and the homeowners already here. You know I am right, we had this issue with the water reclamation site in Morro Bay where that did in fact happen. To say it would not happen at 3300 Panorama is just not smart. You say your going to have all the tests done but didn't you do that with the water location and it still happened. It cost us more to have that fixed and there were no homes below to be crushed. Not to mention our streets are a mess here and large trucks eating our streets and making that worse as well as traffic with 61 homes in location the traffic is already to much and no many stop signs any where in north MB. I should not even have to write a letter like this since this should be common sense. I hope you think of the community, again PLEASE.

> Subject: 11/7/23 meeting 3300 Panorama

Nancy Hubbard
To:Scot Graham;Cindy Jacinth
Cc:Amber Weart

Tue 11/7/2023 6:44 AM

Nancy Hubbard
Contract Planner
805-772-6211
nhubbard@morrobayca.gov

From: betty winholtz [REDACTED]
Sent: Tuesday, November 7, 2023 1:56 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>
Subject: agenda item c-1

Dear Planning Commissioners:

There is so much fodder here to comment on, it's difficult to be concise.

1. If ESHA and buffer are 1.5 acres, then there are 8.5 acres upon which to build. Therefore, the number of units that should be allowed at the "lower end" should be 34, not 48. **Reduce the number of lots.**
2. For every one standard size lot, there are 3 that are substandard by half the size. Why would the City purposely re-create the problems that currently exist on the Island Streets? **Reduce the number of lots.**
3. Lot size includes the street and sidewalk, at least in the top 4 rows of lots. Does the City normally include to the center line of a street for lot size? Is this because it is a private street? **All streets should be public with curb, gutter, and a sidewalk on one side.**
4. When a street sign says "Private Road" the public does not feel it can trespass; they are not welcome. So the public benefit of public trails, vistas, picnic tables, and interpretative panels are for not. **All streets should be public.**
5. The proposed street is only 30 feet in width, substandard. **Reduce the number of lots to make room for a regular width street, and make the street public.**

6. Seriously: 5-foot driveways?! Other driveways are considered parking?! **Reduce the number of lots to make room for a regular width street with appropriate setbacks, and make the street public.**

7. The private street does not serve the health and safety of the residents because a fire truck/ambulance will be slowed by the curves and nature of the private road with a poor turnaround at the top. **Reduce the number of lots to make room for a regular width street, and make the street public.**

8. Imported fill: 87,000 cubic yards (page 65 of 78). Some houses will be sitting on 20 feet of fill. **No imported fill; use what is on the property.**

9. A dump truck holds 14 cubic yards. If a larger truck cannot make the turns and fit the width of Trinidad, that's 6,200 round trips. **No imported fill; use what is on the property.**

10. Only 11 of the 48 houses are proposed to be built at grade. **No imported fill; use what is on the property.**

11. Can a retention basin be considered ESH? **Wait for the environmental study to be complete.**

12. How will construction of the retention basin at the foot of the ESH affect the ESH? **Wait for the environmental study to be complete.**

13. Page 72 of 78 is labeled "Tree Protection Plan." Quite the opposite. 35 trees are proposed for removal, several with 3-5 foot diameters. The 47 trees proposed for saving are in the ESH; they can't be touched. **Wait for the environmental study to be complete.**

14. Just when the City, both the government and the public, is focused on good Designed Standards, this development violates what has been agreed to as good, livable design. **Enforce second floor step-backs.**

15. What is the width of Panorama where the proposed parallel parking spaces are proposed? It's on a corner.
Where is the Circulation Study?

16. The seal of the engineer specifically says "not for construction;" there is no signature. Should one make a decision based on them? We learned from the sewer plant construction that often engineering plans were not signed, sealed, and dated by an engineer as dictated by State law, yet the plans were still used for the sewer plant construction. Where are the other reports: soils, drainage, hazards? **The Planning Commission should have full data before making comment because the recommendations you make you will be held to when the developer returns with the**

precise plan.

Sincerely,
Betty Winholtz

MW

To: Planning Commission

Tue 11/7/2023 7:11 AM

Dear Planners,

I would like to comment on the amazing flawed plan, and I am against this development. The one thing that is silly, is the 10 space parking plan on Panorama and Whidbey St. Do you think it is safe to back out blindly onto Panorama on what will now be a busy street and intersection. Put the parking inside the development, not on the street where people walk their dogs and children. More to follow.

Sincerely,

Mitch and Leslie Wyss

From: [REDACTED]
Sent: Tuesday, November 07, 2023 3:45 AM
To: Dana Swanson <dswanson@morrobayca.gov>
Subject: Planning Commission Hearing, Item C-1

Hello Commissioners and Staff,

I am out of town and unable to attend the 11/07/2023, Planning Commission Hearing for 3300 Panorama Drive. This is the site of the decommissioned Navy jet fuel pumping station.

The citizens are being asked to give feedback for a proposed forty-eight, R-1, single family housing development on the ten acre parcel.

This parcel is recorded to be located in a historical landslide zone, FEMA floodplain, and within the Cambria Fault line.

This hearing is premature as the CA Regional Water Quality Control Board has not released a clearance for residential development.

The city website has not provided the Morro Bay citizen with Environmental Impact Report, Geological and Soil Hazard Evaluation Report, Biological Assessment Report, Traffic Study, Paleontological Evaluation, Soil Management Plan, Stormwater Management Plan, or Infrastructure Report for the citizens to provide an educated response to the proposed housing development.

The citizens are asked to review Conceptual Review Plans, dated August 21, 2023.

The Conceptual Review Plans for the proposed subdivision project are not in compliance with §6735 of the California Business and Professions Code (aka Professional Engineers Act) in that the engineer who has affixed his stamp on the first sheet of his plans, did not sign nor date his plans (plan sheets C1 thru C11 starting on page 61 of the staff report). It may say , "PRELIMINARY NOT FOR CONSTRUCTION" on Plan Sheet C1, however, these plans will be requiring several permits from the city such as a CUP/CDP and even an encroachment permit. §6735 says in part, ***"All civil engineering plans and specifications that are permitted or that are to be released for construction shall bear the signature and seal or stamp of the licensee and the date of signing and sealing or stamping."*** Staff should have not accepted these preliminary plans without them being fully compliant with the Code since permits will be required for this project. The Planning Commission, the City Council or the public should never be presented with "PRELIMINARY" documents for review. The engineer needs to take this seriously and be completely responsible for his plans by signing them.

The Registered Professional Engineer only affixed his stamp on the page 26, Vesting Tentative Map No. 3190, whereas §6735 requires that it, ***"shall appear on each sheet of the plans."*** Also, on Sheet T1 (page 36 of the staff report) it shows;
CIVIL ENGINEER: RRM DESIGN GROUP
3765 S. HIGUERA STREET, SUITE 102
SAN LUIS OBISPO, CA 93401
CONTACT: TIM WALTERS
Mr. Walters is not a registered civil engineer.

In January and February of 2023, the City of Morro Bay experienced unexpected rainfall that flooded part of the city. The landslide zone above 3300 Panorama Drive was being closely watched by citizens in north Morro Bay as we witnessed topsoil movement in several areas above Panorama Drive.

Who is liable if the proposed housing development has unexpected earth movement that causes damage to homes or injury to people?

We feel this hearing should be postponed until all of the required studies have been completed and placed on the City website in order to provide informed comments about the proposed housing development at 3300 Panorama Drive.

Thank you for your time and we look forward to working with the applicant and city staff on this project.

Sincerely,

Donald and Kristen Headland
Morro Bay Resident

Sent from my iPad

[REDACTED]
To: **Planning Commission**

Tue 11/7/2023 8:03 AM

Once again, the question of water to service the proposed buildings. Where is the source of for the additional demand?

Trinidad appears to be the primary road into this development. Trinidad is a very narrow road that is poorly maintained. Many children live and play in this family friendly neighborhood.

The proposed map looks like a mini City of Paradise with very limited egress. Fire, landslide, or other emergencies must be taken into account for those needing to escape.

Is this hill stable enough to be built upon?

Thank you,

John Bodden
[REDACTED]

Dana Swanson
To: **Planning Commission**

Tue 11/7/2023 11:25 AM

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2 MB



Good morning Commissioners and staff,

Ed Griggs hand-delivered the attached comments and asked that they be included in the record for Item C-1 on tonight's agenda.

Sincerely,

Dana Swanson

City Clerk

City of Morro Bay

Phone (805) 772-6205

dswanson@morrobayca.gov

Morro Bay Planning Commission
955 Shasta Avenue
Morro Bay, CA 93442

11/7/2023

Re: Conceptual Review, New Buisness, Item C-1, 3300 Panorama
Case Number: CUP22-05/CDP22-003/VTM2202

Planning Commission,

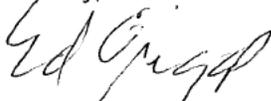
At the last public meeting, RRM Design Group proposed a 61 house plan for the property at 3300 Panorama. Now, according to the Land Use Map, Figure LU-4, of Plan Morro Bay, the same 10 acre parcel, zoned R-1 is proposed for 48 home developments. It seems as though RRM Design Group is tossing home site numbers at a wall to see what sticks, depending on public responce. If that is the case, It makes more sense to *seriously* look at what the existing City infrastructure, and liability/risk management will ultimately dictate how many houses can be built at 3300 Panorama.

1. Infrastructure- Existing access/egress streets; water supply; sewage; traffic.
2. Geologic data- Specific mass wasting data on the slope uphill from the project. Historic mass wasting information that has taken place in the same area.
3. Liability- If there is a mass wasting event on the site after if it is approved by the planning commission, and a permit is given by the Morro Bay Planning Division, will the City of Morro Bay be liable, and will it's citizens be asked internalize the cost of such a law suit? Given that a mass wasting event has already occured on the site, what are the odds that another similar event will happen.

The Oso Mudslide occured on March 22, 2014 in Washington state, killing 43 people and destroying 49 homes. Resulting law suites amounting to \$60 million dollars(\$78,008,160.99 today) payed out to victims families. So after a specific infrasctructure geologic study is done on this site, how many homes and attendant lives *will* be risked according to actuarial science?

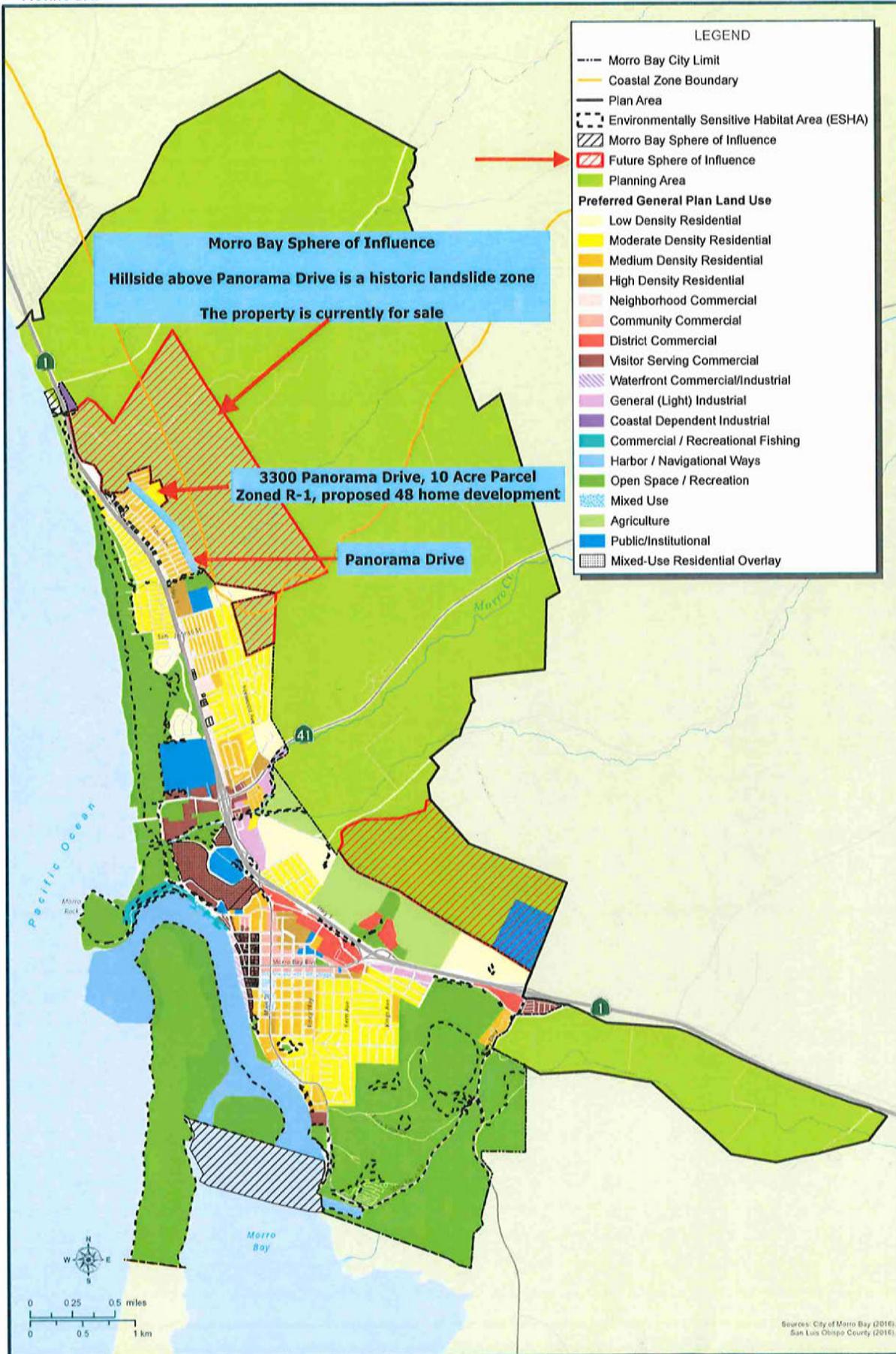
The circumstances at 3300 Panorama is not exactly the same as the OSO Mudslide, and there is no requirement for CEQA review for the Conceptual Review. Still without all of these parameters clearly defined, how is it possible to come to any conclusions about how many houses *can* be built at 3300 Panorama. The history of developments/demolition on this parcel suggest that close scrutiny is required to insure the safety of and financial security of the City of Morro Bay and it's citizens.

Sincerely,



Ed Griggs

[REDACTED]
Morro Bay, CA 93442



My name is Antonio F. García, and I have lived and owned a home on Java Street in North Morro Bay since August 2001. I am a professor of geology and I have been teaching at Cal Poly since academic year 2001-2002. Within the discipline of geology, I specialize in geomorphology, which is the study of how geologic processes shape landscapes. My research focuses on streams and sediment transport in tectonically active areas. Because streams carve valleys, and erosion of valley slopes produces sediment that affects streams, in a few instances my research publications encompassed landslide-related processes. I have been teaching students about landslides at the introductory level since 2001, and at more advanced levels since 2003. In my teaching I have used the herein named North Morro Bay Landslide Complex as an example of terrain that is unsuitable for development since at least academic year 2002- 2003 (I have attached an excerpt of my Powerpoint presentation [also saved a .pdf file] used for this lecture; this letter is also attached as a .pdf file).

As used in this discussion, the North Morro Bay Landslide Complex is the area that extends along Panorama Road from Island Street to Tahiti Street, and from Panorama Street to the adjacent ridgeline above North Morro Bay. There is a great deal of evidence that the lower approximately 400 yards or so of the North Morro Bay Landslide Complex is unstable and actively moving downslope.

Power-line posts and fences along Panorama are conspicuously tilted, which indicates slope movements occurring after those structures were built. Since I moved here in 2001, I have seen the embankment on the northeast/upslope embankment of Panorama Road fail regularly during winter rains. The evidence for failure is the presence of vegetation and mud on Panorama Road, and a corresponding area on the adjacent embankment that lacks vegetation. Also, the Panorama Road embankment impinges collectively on Panorama Road during Winter rains, which is evinced by conspicuous narrowing of the road: abundant automobile tracks reveal that they are forced to regularly drive through mud that overlies pavement and is typically a foot or so deep.

From a broader perspective, the North Morro Bay Landslide Complex is a "paleolandslide". A paleolandslide is a landslide that first moved thousands of years ago, and is relatively large scale. As early as 2011 college textbooks noted that paleolandslides are a serious threat to society because the sediment they are composed of is easily remobilized. One tragic example of a landslide that issued forth from the lower part of a paleolandslide occurred in the community of La Conchita in Ventura County. Evidence for prehistoric landslides issuing forth from the lower part of the Paleolandslide is clear, but was evidently ignored by developers. The Community also ignored a landslide 1995 that moved slowly (hundreds of feet in a few hours), and therefore caused infrastructure damage but no loss of life. However, a fast-moving landslide in 2005 killed 10 people.

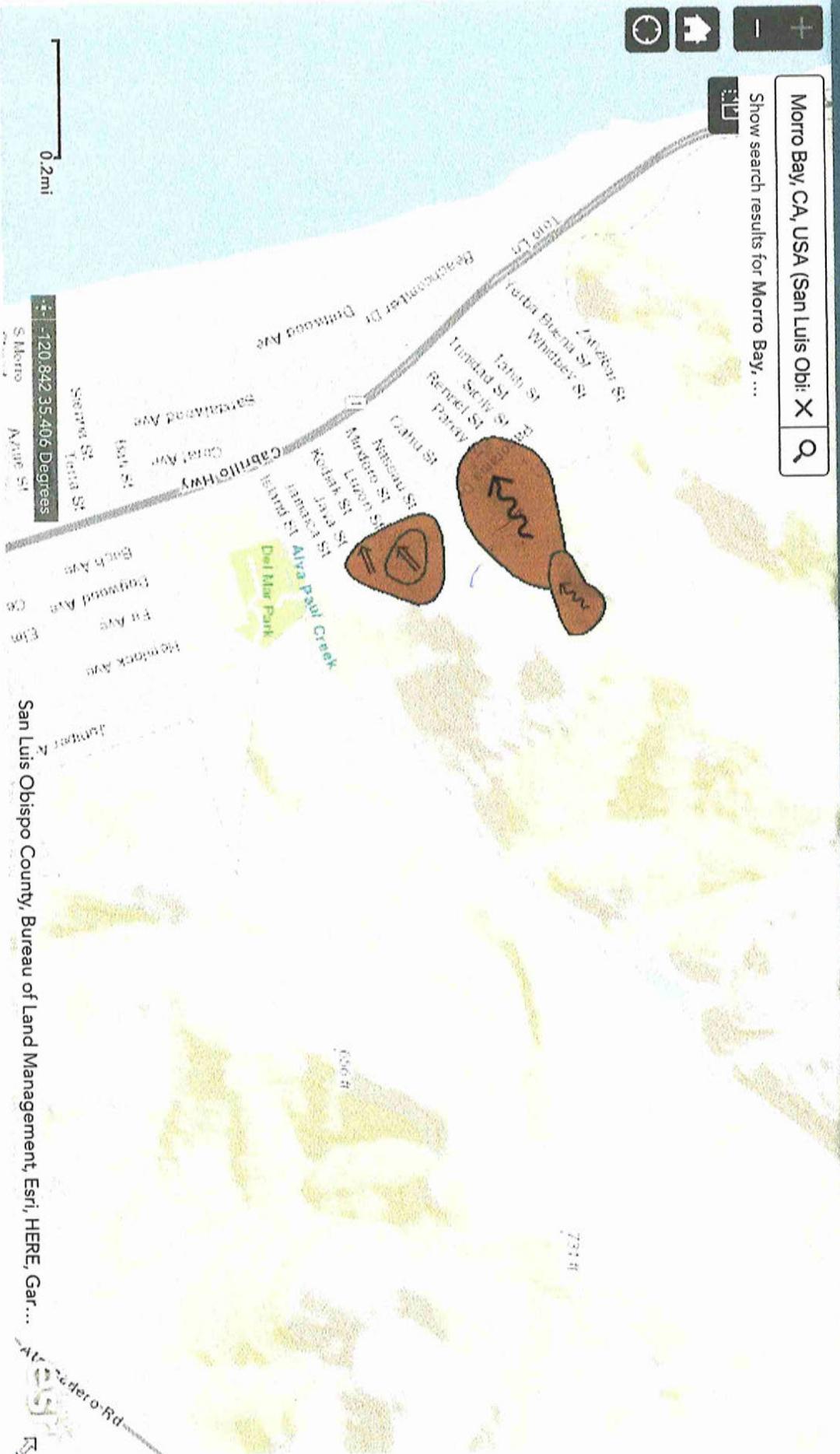
There is evidence that like the lower part of the La Conchita paleolandslide, the lower part of the North Morro Bay Landslide Complex is susceptible to remobilization that is capable of causing damage. Major landslides originating in the lower part of the North Morro Bay Landslide Complex in 1983 and 1995 caused 10s of thousands of dollars of damage. Given what we now know about the threat posed by paleolandslides, it is clear that no human structures should be added to the North Morro Bay Landslide Complex.

Antonio F. García

Landslide Inventory (Beta)

Morro Bay, CA, USA (San Luis Obispo: X)

Show search results for Morro Bay, ...



San Luis Obispo County, Bureau of Land Management, Esri, HERE, Gar...



Esri, USDA Farm Service Agency, Microsoft

Powered by Esri

PIN

- Approximate location based on user input and does not represent an authoritative property location

MAP PANELS

- Selected Floodmap Boundary
- Digital Data Available
- No Digital Data Available
- Unmapped

OTHER AREAS OF FLOOD HAZARD

- Area of Undetermined Flood Hazard Zone 0
- Otherwise Protected Area
- Coastal Barrier Resource System Area

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, X, or AE
- Regulatory Floodway Zone AE, AO, AH, AR, and AF
- 0.2% Annual Chance Flood Hazard Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee, See Note, Zone X
- Area with Flood Risk due to Levee Zone 0

OTHER AREAS

- Area of Internal Flood Hazard Zone X
- Effective Levees
- Area of Undetermined Flood Hazard Zone 0
- Otherwise Protected Area
- Coastal Barrier Resource System Area

OTHER FEATURES

- Cross Sections with 1% Annual Chance
- Water Surface Elevation
- Coastal Transsect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transsect Baseline
- Profile Baseline
- Hydrographic Feature
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

SAN LUIS OBISPO COUNTY

Telegram-Tribune

Morro hill closely monitored

By Dave Wilcox
Telegram-Tribune

MORRO BAY — A trio of pans filled with water sit on the floor in various rooms of Lee Greenawalt's Panorama Drive home in Morro Bay, just there to detect subtle shifts of the ground beneath the house.

Just down the block — near where a pipeline burst last week sending thousands of gallons of water from Whale Rock Reservoir gushing down the hillside streets in north Morro Bay — surveyors set up more sophisticated instruments Monday afternoon to monitor the earth's movements.

And as cattle grazed in a steady drizzle, geologists in rain gear climbed to where a plastic orange pole marked the visible end of a fissure that snaked horizontally for about 300 yards more than halfway up the hillside.

The crack could mean more worries for residents of the steep streets that were fortunate to avoid flooding when the pipeline broke late Friday afternoon.

Cherron, the owner of the hillside property, has set up concrete barriers in front of the Panorama Drive homes to protect them from mudslides. Fire Chief Jeff Jones said it's hoped the barriers would channel the mud down the steep neighborhood streets and away from the homes.

"Needless to say, if it's the whole hillside, they're not going to do any good," he said.

There's not much else to do but closely monitor the hillside's movement, said Jones. The hillside is too steep and too wet to support equipment that could be used to compact fissures, he said, and could do more harm than good.

One visible landslide thought to be the culprit in Friday's water main break actually had nothing to do with the broken pipeline, according to Diana Varrek, a spokeswoman for Cherron. She said experts were trying to pin down exactly how much of the hillside might be moving, and said it was possible that subsurface shifting on a smaller scale could be responsible for the broken pipeline.

San Luis Obispo's drinking water supply was threatened when the pipeline ruptured, but repairs were completed during the weekend.

Still frayed, however, are the nerves of residents

Inside

- Weather forecasters promise the rain will stop — someday. B-4

PHOTO BY MICHAEL KYLE FOR THE TELEGRAM-TRIBUNE. MORRO BAY, CALIF. (AP) — A water main burst in Morro Bay, Calif., Monday threatened to cut off the town's drinking water supply. The burst occurred in a residential area near the town's main water tower. The water tower is a large, cylindrical structure that sits on a hillside. The burst caused a large amount of water to leak out of the tower. The town's water supply was threatened because the water tower is the only source of water for the town. The town's water supply was cut off for several hours. The town's water supply was restored on Monday afternoon. The burst was caused by a pipe that was old and had become brittle. The town's water utility is planning to replace the pipe. The burst was a reminder that the town's water infrastructure is in need of repair. The town's water utility is planning to invest in new water infrastructure. The town's water utility is planning to invest in new water infrastructure. The town's water utility is planning to invest in new water infrastructure.



Robert Dyer/Telegram-Tribune

CHECKING THE HILL: Surveyor Dave Whitman sets up equipment on Panorama Drive Monday under drizzly skies.

MORRO from Page One

with commanding views of the ocean and Morro Rock.

The Morro Bay Fire Department has alerted people to listen for unusual sounds in their homes and said utility workers have checked lines in the area.

Greenawalt said he was "a bit" nervous as he stood where water continued draining from the pipeline, gurgling from a fire hose and rushing down Nevis Street.

Gary Henderson, of San Luis Obispo's utilities department, said the pipeline is being drained as a precaution to prevent flooding if another crack develops. He said it's not clear when the tap will again turn on at Whale Rock Reservoir.

"We're going to wait this storm out and then hopefully have some better information later this week" about the extent of the earth's movement.

Greenawalt and his wife have vacationed in the home for the past 20-plus years, but made it their permanent residence last month.

"We did not pick a good time."

Actually, Greenawalt said he felt better having firsthand knowledge of the situation. He's been checking another home for signs of movement for its owners, who still use it only for vacations.

more water on one side of the pan or the other, he'll know the ground is moving.

On Panay Street, which remained closed and is at ground zero where the pipeline broke, Jeanette Conklin isn't taking any chances.

She's packed up some belongings, preparing for the worst. From a deck outside her front door, she can see the crack in the hillside.

"It's a big deal, we're concerned," said Conklin. "I'm on ready."

Across the street and a few homes down from Conklin, Troy Raynor had returned only about an hour earlier from a weekend trip to the Bay Area.

He arrived to find his street blocked off.

"I thought it was over and done with," Raynor said of the flooding threat posed by the recent storms.

Instead, he checked around his home for signs of slippage. He found none.

RAIN from Page One

worth of showers could produce another inch to 1½ inches, "but we're not going to have to worry about floods."

After the clear weekend, Ryan said

Morro sued in 2 mudslide damage cases

The owners of two north Morro Bay homes which were severely damaged this winter by mudslides filed claims Tuesday totaling \$700,000 against the city of Morro Bay.

Wilma Haight, owner of a home at 497 Panay St. and represented by attorney Dale Mitchell, has asked the city for \$100,000 for repair of her home, \$25,000 for loss of its use, and \$75,000 for mental anguish.

The suit names the city, chief building inspector Bill George and then City Administrator Murray Warden because the building permit for the home was issued in 1976 during Warden's tenure.

Attorney Mitchell was a member of the City Council in 1976.

The claim alleges that the city failed to comply with its own building codes which prohibits issuing of a building permit unless "minimum construction stan-

dards for seismic safety" are met, said City Administrator Paul Baxter.

Specifically, the claim says the city should not have allowed the home to be built without requiring the foundation design to be done by a registered engineer or a licensed architect.

In the second claim, Mr. and Mrs. Arden Morris of 473 Orcas St. are asking for \$100,000 for repair of their home and \$400,000 for emotional shock and upset. Their attorney is Rodman Woelfle of Paso Robles.

The claim, which was filed against the city only, alleges that damage to the home was caused by "improper construction" and that the city's inspection of the home was "negligent."

Furthermore, the claim states, the city allowed houses to be built in an area known to be "geologically unsafe."

Navy will sell property near Morro Bay

MORRO BAY

by Neil Farrell
Special to the Telegram-Tribune

Jet fuel spilled at a former Navy base in north Morro Bay isn't worth cleaning up, several government agencies have concluded.

After several years of study and monitoring, the Defense Fuel Supply Center (DFSC) has concluded that spilled JP-8 fuel at the fuel depot on Panorama Drive poses no significant threat to citizens or the city's drinking water.

Two state agencies, the Department of Toxic Substances Control and the Regional Water Quality Control Board, have agreed.

DFSC plans to abandon approximately 38 monitoring wells on the site and along Panorama Drive, officially close the site, and return control over to the Navy. It is expected the federal government will sell the 10-acre site as surplus property.

The fuel spill's area is limited and is contained by clay and silt in the soil, according to Redwan Hassan, project manager for Flour Daniel (formerly Groundwater Technology, Inc.), the contractor who studied the spill. It also is nearly two miles from the Morro Creek wellfield, the nearest source of drinking water.

Also, the underlying soil has a bedrock base at about 60 feet. The fuel is believed to be contained on the site, according to Hassan. Concentrations of volatile or toxic chemicals such as benzene

active depth of the fuel, 25 to 40 feet and deeper in some tests, coupled with the location and soil types, the contaminants were deemed to pose no threat.

"We did all the health risk assessments and the feasibility studies," said Hassan. "The spill does not pose significant risks to humans and the environment."

Tests also showed the fuel is already beginning to break down naturally in the soil. The testing concluded that various schemes for hurrying along the breakdown were either impractical or unusable.

JP-8 was piped to the Lemore Naval Air Station near Hanford from the 1950s until the base closed in 1991.

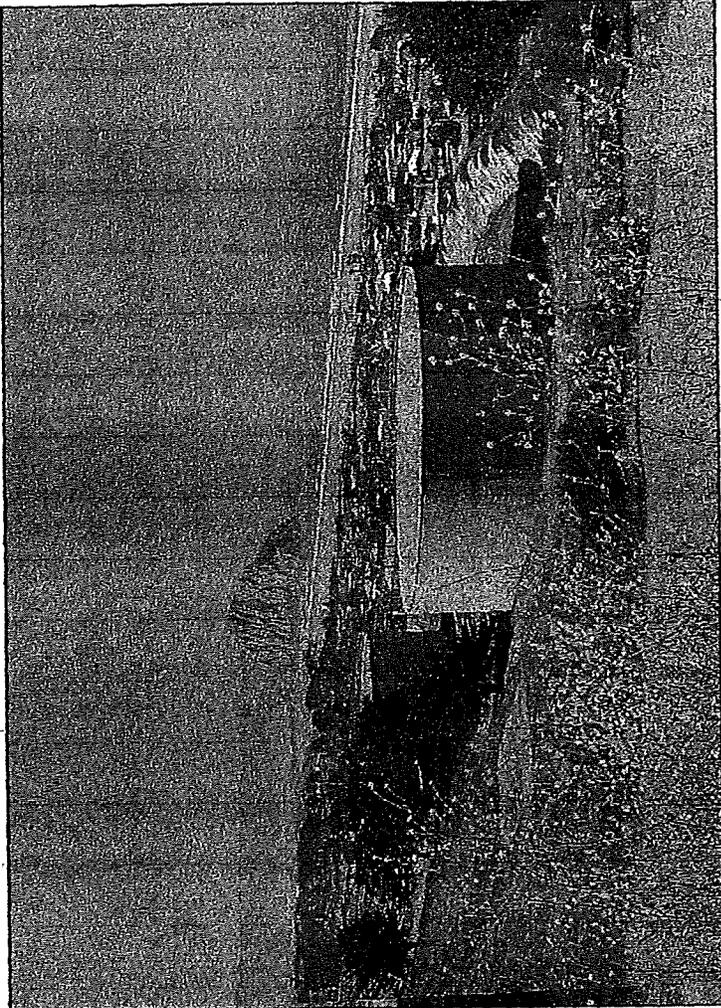
The 98-mile pipeline to Lemore was closed in 1992 and was scoured of fuel residues and filled with nitrogen gas.

Hassan said the entire length was walked about a year ago, and several possible problem areas were dug up and examined, but no leaks were found.

The only recorded leak of that pipeline occurred when someone at Cardiff Stud Farm in Atascadero dug up the pipeline with a tractor.

The DFSC is taking public comments on the environmental work done and the plan to close down the fuel depot. Send comments to Lt. Col. Charles Gross, Defense Fuel Office-Los Angeles, 3171 N. Gaffey St., San Pedro, CA, 90731-1099.

Neil Farrell is a reporter for the Sun Bulletin in Morro Bay.



Telegram-Tribune

NO LONGER NEEDED: The Navy expected to sell property north of Morro Bay that was used to store jet fuel for shipping by pipeline to Lemore Naval Air Station. Fuel that was spilled at the site, which closed in 1991, doesn't present a danger.

are either absent or very low, he said.

According to Flour Daniel's final report, which is on file at the Morro Bay Library, traces of arsenic, barium, chromium, cobalt, mercury, nickel, thallium and zinc were found in February

1996, in one shallow soil sample.

The levels found were well below what's allowed, according to the report.

Other tests, conducted since the fuel spill was discovered in 1990, found fairly high concentrations of JP-8, a kerosene-based

fuel. The highest reading reported was 11,000 milligrams per kilogram (mg/kg). The legal limit is 100 mg/kg. Other test sites showed readings as high as 5,500 mg/kg while others were less than 1,000 mg/kg.

Despite those readings, the rel-

AUCTION

Leslie Wyss [REDACTED]
To: Planning Commission

Tue 11/7/2023 10:34 AM

Dear Commissioners,

I am writing to request that you delay final permitting of the proposed development at 3300 Panorama St. in north Morro Bay to allow for further study of serious issues.

There are many social and environmental considerations that have not been adequately addressed. Such as:

- Greatly increased traffic in a quiet residential area with the presence of many pedestrians and no sidewalks
- The sub standard condition of existing roads, and other infrastructure
- Stability of the hillside above the development and danger of slides
- Character of the development does not fit into the existing community.

The character of the existing community is high density, and very close knit. My husband and I moved here 1.5 years ago from Paso Robles. I have never known so many neighbors in any previous residence. The presence of a gated community, separate from the rest of the neighborhood does not fit. Any future development should be the extension of existing streets and addition of new homes, where safe. This solution is simple and it makes sense to maintain the character of a beloved neighborhood.

Thank you for your consideration.

Sincerely,
Leslie Wyss

[REDACTED]

Jeffrey Heller [REDACTED]
To: **Planning Commission**

Mon 11/6/2023 7:40 PM

Dear Commissioners

I had hoped to attend tomorrow night's meeting---but have appointments all day in Los Angeles and will probably not return in time. You are all doing an outstanding job!

Have a great meeting---and I look forward to hearing about it!

Jeff Heller
[REDACTED]

3300 Panorama site

Eleanor Crane [REDACTED]

Tue 11/7/2023 1:54 PM

To: Planning Commission <planningcommission@morrobayca.gov>

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RRM Design is asking to over build the proposed housing at 3300 Panorama. The greed in the amount of homes for developer profit is very disturbing. I have several concerns:

It is my understanding that our current sewer system cannot handle the proposed 60+ homes. How is this being addressed?

There are only two streets for ingress and egress into and out of north Morro Bay: San Jacinto and Yerba Buena. Currently residents have to jockey tightly to make it through the signals. Adding more cars is going to create tension and accidents. What is being done to alleviate this?

There is obviously insufficient parking for the proposed housing complex with no street parking. This forces the owners to seek parking down the hill. There is only room for one car to park in front of existing homes. Limited guest parking is inadequate. To afford homes in Morro Bay takes a two income family, which means more cars. What happens when the family teen gets a car?

There will be a substantial increase in street traffic past existing homes which is currently used by children, pets and walkers. This is a recipe for accidents.

We were told the large trees near the northern rear of the proposed development would not be cut down. According to the site as proposed, they would be cut down to cram more homes on the site.

Residents in north Morro Bay pay taxes, etc. how about ceasing the idea that it's OK to do low standard streets and projects.

Comments on 3300 Panorama project

Karl Schoettler [REDACTED]

Tue 11/7/2023 2:24 PM

To: Planning Commission <planningcommission@morrobayca.gov>

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Dear Planning Commissioners

Thank you for giving close attention to this important project (the 3300 Panorama project). You do not have an easy job when it comes to analyzing developments such as this one.

It's easy to want to put a city like Morro Bay under glass and have no change, but if that had happened then none of the homeowners and residents speaking to you now would even be here. I believe that with the changes made (significantly reducing the number of lots (below the permitted density) the project will be able to fit into the neighborhood and respect the surroundings and environment.

The developer has agreed to mitigate any traffic issues that occur. And of course, no new development can occur without traffic concerns being raised. That's the case regardless of where we are talking about Morro Bay or any other city.

Please continue to analyze the pay close attention to comments that are made about the project, but I believe you now have a design that deserves approval.

Sincerely

Karl Schoettler
Zanzibar Terrace condominiums