



AGENDA NO: B-1

MEETING DATE: September 15, 2020

**AGENDA CORRESPONDENCE RECEIVED BY THE
PLANNING COMMISSION FOLLOWING POSTING OF
THE AGENDA IS ATTACHED FOR PUBLIC REVIEW
PRIOR TO THE MEETING**

From: ed griggs [REDACTED]
Sent: Thursday, September 10, 2020 10:13 AM
To: John Heading <jheading@morrobayca.gov>; Nancy Hubbard <nhubbard@morrobayca.gov>; Jeffrey Heller <jheller@morrobayca.gov>
Subject: Re: MAJ19-005

Nancy, John and Jeff

Thank you for your timely response to questions about MAJ19-005. I understand the limited scale of the project.

Mr. Mathys spoke briefly to me several days ago about the activity on the property without specifying any details.

I still wanted to see something in writing about the project. Nancy was kind enough respond in adequate detail to all of my questions, including: What are the conditions of approval?

The conditions of approval are in the resolution that is part of the agenda documents. We are finalizing those documents now and they should be posted on the website by the end of the week.

I'm sure that the agenda is customarily distributed late in the week before the "Public" meeting. But offering the specific information about MAJ19-005 this late makes it difficult to be prepared to respond for the "Public" meeting on Tuesday.

Given the very justifiable limitations imposed by the Covid-19 pandemic, ie. no public gatherings, I, a concerned citizen, is placed in a more difficult position to address my concerns. Getting information relatively late to prepare for a "Public" meeting adds an unnecessary layer of difficulty for myself and any other concerned citizens.

Once again, recognizing the limited scope of the attendant activity, the delay in supplying any details might not be anything important enough to get ones knickers in a twist about.

But providing documents late in the game is a common practice of the Planning Staff. I have learned this fact throughout my extensive experience with CUP440, and CPD500: my concern is well based on a consistent pattern of behavior of delaying, or not providing at all, important documents.

We'll see if that information is made available when Ms Hubbard says it "should" be posted.

Ed Griggs

From: John Heading <jheading@morrobayca.gov>
Sent: Thursday, September 10, 2020 7:50 AM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Cc: ed griggs [REDACTED] PlanningCommission <PlanningCommission@morrobayca.gov>; Scot

Graham <sgraham@morrobayca.gov>; Scott Collins <scollins@morrobayca.gov>
Subject: Re: MAJ19-005

Thanks Nancy for responding to Ed's concerns.
John

Sent from my iPhone
Dr. John Heading
Mayor
Morro Bay, CA. 93442
805-909-9785

On Sep 9, 2020, at 2:27 PM, Nancy Hubbard <nhubbard@morrobayca.gov> wrote:

Ed,
See responses below. Please let me know if I can be of further assistance.

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

From: ed griggs [REDACTED]
Sent: Wednesday, September 09, 2020 9:57 AM
To: Nancy Hubbard <nhubbard@morrobayca.gov>; PlanningCommission <PlanningCommission@morrobayca.gov>; Council <council@morrobayca.gov>
Subject: MAJ19-005

Ms Hubbard,

1. Does the MND of Permit UPO-440 and Coastal Development Permit include information on the removal of the 3 small sheds containing asbestos(Case Number Maj19-005)? **Yes, the Mitigation and Monitoring Program includes process, monitoring and reporting for any asbestos material included in the scope of work.**
2. The yellow card sent to residents postmarked 09/03/2020, under staff recommendations states that the the staff recommends approval "WITH CONDITIONS OF APPROVAL". What are the conditions of approval? **The conditions of approval are in the resolution that is part of the agenda documents. We are finalizing those documents now and they should be posted on the website by the end of the week.**

I ask these questions at this time because in order to be prepared for the Public Hearing on September 15. Otherwise residents impacted by the removal of the sheds(I live across the street from the sheds in question), will not be prepared to submit correspondence before the hearing. **The sheds were removed in February 2019. The only new work in this permit request**

is the removal of the existing siding, containing asbestos material, from the electrical building to be replaced with metal siding. There is an exhibit to the staff report that includes the detailed plan for removal and disposal of these materials.

Ed Griggs

[REDACTED]
[REDACTED]

From: Nancy Hubbard <nhubbard@morrobayca.gov>
Sent: Monday, September 14, 2020 2:02 PM
To: Be Nice [REDACTED]
Cc: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: Re: Panorama property meeting 9/15

See responses below.

From: Be Nice [REDACTED]
Sent: Monday, September 14, 2020 10:08 AM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: Panorama property meeting 9/15

Hi, my name is Angela Arthur and I live at [REDACTED] and my home is directly across from the proposed development. Is it possible to stream the meeting tomorrow night? **Yes, the link to phone in or participate in the zoom hearing are on the agenda, which is on the City of Morro Bay website. <https://www.morrobay.ca.us/ArchiveCenter/ViewFile/Item/5434>**

I do have some general questions as there is increased activity on the property lately (tree planting and city representatives walking the property).

1. How many homes will be developed? **This is not an application for any new development of homes or any other development. This is for siding replacement on an existing building.**
2. Are they all single family? **The zoning is R-1 which is single family homes. However, this is not an application for any development.**
3. How will it be built out (a few homes at a time or all homes at once)? **See comment above.**
4. Where will the entrances to the property be located? **See comment above.**
5. What is the best estimate of when the project will be breaking ground for development? **See comment above.**
6. Is there a proposed map of the homes? **No, see comment above.**

I realize the information I am seeking may not have direct relevance to tomorrow evening's agenda. However, I have sought out information for sometime and not gotten any. Of course, should you know the answers to any questions I would appreciate knowing. **The property is privately owned, so the City will not know what the property owner intends on doing with the property until they submit an application for development.**

Thank you so much,
Angela
[REDACTED]

From: Nancy Hubbard <nhubbard@morrobayca.gov>
Sent: Monday, September 14, 2020 2:06 PM
To: Kristen Headland [REDACTED]; Scot Graham <sgraham@morrobayca.gov>
Cc: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: Re: 3300 Panorama Drive Project

Kristen,

We provided you with the planting plan, which included maintenance, inspections and replacement of failing trees on July 17, 2020. Do you need that same information again, or are you asking for something else?

Just so you are aware, the tree planting was mitigation for the tank removal project (as required by the Mitigation and Monitoring Program resulting from the approved MND), and is not related to the MAJ 19-005 project that is the subject of the hearing tomorrow night.

Let me know if I can be of further assistance.

From: Kristen Headland [REDACTED]
Sent: Monday, September 14, 2020 1:03 PM
To: Scot Graham <sgraham@morrobayca.gov>; Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: 3300 Panorama Drive Project

Hello,

The property owner planted new trees along Panorama Drive. The owner does not live in this area.

Is someone required to monitor the condition of the trees and watering system?

Can you provide me with the written guidelines for monitoring these plants during the next three years.

Thank You,
Kristen Headland

From: Nancy Hubbard <nhubbard@morrobayca.gov>
Sent: Wednesday, September 09, 2020 3:12 PM
To: D Barker [REDACTED]
Cc: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: RE: Major Modification to MAJ19-005 and Coastal Development permit CPO-500

See responses below. Please let me know if I can be of any further assistance.
Sorry for the delayed response, there was some issue with your original email and it was sent to the junk folder.

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

From: D Barker [REDACTED]
Sent: Sunday, September 06, 2020 10:40 AM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: Major Modification to MAJ19-005 and Coastal Development permit CPO-500
Importance: High

Dear Ms. Hubbard,

We received a notification post card for this project. The project documents listed on the notification post card could not be found on the City of Morro Bay/Community Development Department website. Additionally, we were not able to submit a Request for Public Records via the website. The post card directed us to you. **The staff report and documents for Planning Commission hearings are posted on the Friday before the hearing.**

We want to review the proposed project before the September 15, 2020 Planning Commission hearing. Three days is not enough time for us to review the projects and submit comments prior to the hearing.

We are requesting the following documents:

MAJ-19-005 (Major Modification to CUP440 and CDP500)
and any other relevant documents related to the current proposed project. **These will be posted on the PC agenda items by Friday.**

In the interest of time, efficiency, and cost savings the requested documents can be emailed to us at:

[REDACTED]

Another option is to send us direct links to the documents on the city websites.

Thank you for your time consideration and effort in this matter. We look forward to your response

Sincerely,

Deborah Barker

From: betty winholtz [REDACTED]
Sent: Tuesday, September 15, 2020 1:38 AM
To: Gerald Luhr <gluhr@morrobayca.gov>; Michael Lucas <mlucas@morrobayca.gov>; Joseph Ingraffia <jingraffia@morrobayca.gov>; Jesse Barron <jbarron@morrobayca.gov>; Susan Stewart <sstewart@morrobayca.gov>
Cc: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: agenda item B-1

Dear Planning Commission:

First, I would like to point out there may be 2 missing Exhibits. Exhibit D.4 is listed at the end of the Staff Report as "SLO County Environmental Health Closure letter 3/4/20." However, when one turns to D.4, there are 2 documents--one dated April 22, 2019, and the other dated September 29, 2019--neither are the document dated 3/4/20. In addition, the slide show lists there was documentation from the Air Pollution Control District (APCD), but it is not included as an Exhibit.

Second, since the Commission is approving the removal of structures after-the-fact, I encourage the Commission to recommend a fine. RESOLUTION NO. PC 14-20 under PLANNING CONDITIONS lists the conditions for the major modification yet-to-be-removed asbestos buildings, the same protocol that should have been followed in the unpermitted removal of asbestos buildings. Previously, the Commission upheld an appeal that the work was performed without a permit; was it also performed incorrectly so as to create a hazard to the residents or the area? In particular, there is no documentation to affirm that #1, #6, #7, and #8 occurred:

1. "Construction Hours: seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends." No neighbors observed the work; could it have been performed outside of these hours?

6. "Work in the ESH: No work shall extend into the ESH. If the work is during nesting season, provisions of Mitigation Measure BR-6 shall apply." Work was performed during nesting season with an active Great Horned Owl nest. The Environmental Compliance Specialist did not oversee this work.

7. "Hazardous Material handling/abatement: Licenses and disposal ticket shall be provided to the City....The material shall be encapsulated prior to removal and removed using the 'wet removal' method." While the staff reports states a Manifest was submitted to show delivery to the Paso Robles site, the staff report does not say whether it is known what condition the asbestos material was delivered, i.e. encapsulated or not, wet or not.

8. "Environmental Compliance Monitoring: The applicant shall retain a qualified independent Environmental Compliance Specialist, to oversee and document compliance with all approved project related mitigation measures as well as environmental regulatory requirements pertaining to the proposed demolition activities." As stated in #6, there was no monitoring just prior to or during the illegal removal. The after-the-fact biological survey lists red-tail hawk, American kestrel, prairie falcon, and monarch butterflies, present in addition to the active great horned owl nest. Interestingly enough in Exhibit D.2 on the last page, the first paragraph states the owl nest was in a Monterey cypress stand while the last paragraph states it was in a stand of Monterey pines.

Sincerely,
Betty Winholtz

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

From: Charter [REDACTED]

Sent: Tuesday, September 15, 2020 10:52 AM

To: Dana Swanson <dswanson@morrobayca.gov>

Subject: Planning Commission Meeting 9/15/2020, Item B-1, 3300 Panorama Drive

Hello Planning Commissioners and Staff,

There has been a travel trailer parked inside the building at the main entrance of 3300 Panorama Drive. It has been occupied by a person for over a year.

I have two questions out of concern for yet another illegal incident on the property.

Has the Travel Trailer been removed from the garage?

Is there a soil excavation report due to an illegal sewer line coming from the inside of the garage?

I'm not in favor of this project moving forward until these two items are complete.

Thank You,
Kristen & Don Headland