

AGENDA ITEM:     A-2    

DATE:   DECEMBER 4, 2018  

ACTION:     APPROVED    

ACTION MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – OCTOBER 16, 2018  
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:	Gerald Luhr Michael Lucas Richard Sadowski Joe Ingraffia Jesse Barron	Chairperson Vice-Chairperson Commissioner Commissioner Commissioner
STAFF:	Scot Graham Cindy Jacinth Joan Gargiulo Nancy Hubbard Martha Miller	Community Development Director Senior Planner Assistant Planner Contract Planner Lisa Wise Consulting

ESTABLISH QUORUM AND CALL TO ORDER  
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE  
PLANNING COMMISSIONER ANNOUNCEMENTS - NONE  
<https://youtu.be/jU4k1BCSKOE?t=1m52s>

PUBLIC COMMENT PERIOD  
<https://youtu.be/jU4k1BCSKOE?t=1m58s>

Bill Martony, Morro Bay, addressed Zoning Area Special Mixed Area B, south of the boat launch. Martony stated this area has special restrictions and spoke of areas which have been zoned incorrectly on the map. Martony would like to have the map corrected.

Chairperson Luhr closed the Public Comment period.  
<https://youtu.be/jU4k1BCSKOE?t=5m21s>

PRESENTATIONS - NONE

A. CONSENT CALENDAR  
<https://youtu.be/jU4k1BCSKOE?t=5m33s>

**A-1** Current and Advanced Planning Processing List  
**Staff Recommendation:** Receive and file.

**A-2** Approval of minutes from the Planning Commission meeting of July 17, 2018.  
**Staff Recommendation:** Approve minutes as submitted.

**A-3** Approval of minutes from the Planning Commission meeting of August 7, 2018.  
**Staff Recommendation:** Approve minutes as submitted.

**MOTION:** Vice-Chairperson Lucas moved to approve the Consent Calendar. Commissioner Barron seconded, and the motion passed (5-0).  
<https://youtu.be/jU4k1BCSKOE?t=5m48s>

**B. PUBLIC HEARINGS**

Public testimony given for Public Hearing items will adhere to the rules noted above under the Public Comment Period. In addition, speak about the proposal and not about individuals, focusing testimony on the important parts of the proposal; not repeating points made by others.

**B-1 Case No.:** UP0-481, CP0 -544

**Site Location:** 210 Atascadero Road, Morro Bay, CA

**Project Description:** Coastal Development Permit and Conditional Use Permit approval request for change in use of an existing 11,840 square foot commercial building located at 210 Atascadero Road, formerly known as the Flippo's Roller Skating facility. The building and associated parking is currently not in use. The proposal includes a café, several offices and storage areas as well as a large interior display area for classic and vintage cars and required parking lot improvements. This project is in the C-VS/PD zoning district and is within the appeals jurisdiction of the California Coastal Commission.

**CEQA Determination:** This project has been deemed exempt from CEQA under Section 15301 related to interior improvements of existing facilities.

**Staff Recommendation:** Approve the Conditional Use Permit and Coastal Development Permit with Conditions of approval

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

<https://youtu.be/jU4k1BCSKOE?t=6m10s>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –  
Commissioner Barron visited the site and spoke to the applicant.

Hubbard presented the staff report.

The Commissioners presented their questions to staff.

Chairperson Luhr opened the Public Comment period.

<https://youtu.be/jU4k1BCSKOE?t=14m16s>

Larry Guesno, applicant, stated what the project was about.

The Commissioners presented their questions to Guesno.

Chairperson Luhr closed the Public Comment period

<https://youtu.be/jU4k1BCSKOE?t=27m28s>

Discussion between Commissioners and staff.

**MOTION:** Commissioner Barron moved to approve UP0-481/CP0-544 Coastal Development Permit and Conditional Use Permit for 210 Atascadero Road. Vice-Chairperson Lucas seconded.

<https://youtu.be/jU4k1BCSKOE?t=38m22s>

Commissioners discuss the motion.

Motion passes 4-1, with Sadowski voting no.

**B-2 Case No.:** Appeal of CP0-575

**Site Location:** 2575 Greenwood Avenue, Morro Bay, CA

**Project Description:** Appeal of staff's approval of an Administrative level Coastal Development Permit for the construction of a new 386 sq. ft. attached Accessory

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Dwelling Unit within the existing two-car garage and the removal of a nonconforming shed on a 4,595 sq. ft. parcel at 2575 Greenwood Avenue. The parcel is located within the R-1/S.2 Single-Family Residential Zoning District and outside of the Coastal Commission Appeal Jurisdiction.

**CEQA Determination:** Not Applicable

**Staff Recommendation:** Deny the appeal and uphold staff's approval

**Staff Contact:** Joan Gargiulo, Assistant Planner (805) 772-6270

<https://youtu.be/jU4k1BCSKOE?t=43m43s>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –

Commissioner Ingraffia spoke to the appellant and the owner of the property.

Commissioner Sadowski visited the site and spoke to neighbors and applicant.

Gargiulo notified the Commissioners she received correspondence after the staff report was published. Gargiulo provided copies for the Commissioners and for the public.

Gargiulo presented the staff report.

The Commissioners presented their questions to staff.

Chairperson Luhr opened the Public Comment period.

<https://youtu.be/jU4k1BCSKOE?t=56m15s>

Kay Milligan, Elm Avenue, stated she is opposed to the project and noted her concerns if the project is allowed.

Judith Johnston, Elm Avenue, spoke about having a good neighborhood and the issues with parking.

Clay Kirney, Elm Avenue, spoke about the parking issues he and the neighbors have with the applicant. Kirney stated the City is to blame because they were told about these issues over the years.

Dan Krull, applicant, stated he is aware of the issues the neighbors were speaking about, and is hopeful the project will take care of the problems.

Dina Krull, applicant, stated she has never been asked to move a vehicle. Krull said it has been very difficult dealing with her neighbors and noted they've been aggressive to her and her family. Krull wishes her neighbors would've come to her with their concerns.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/jU4k1BCSKOE?t=1h18m30s>

The Commissioners presented their questions and comments to staff.

**MOTION:** Vice-Chairperson Lucas moved to accept the appeal and continue the project with the goal of placing the two required parking spaces off Greenwood Avenue.

Commissioner Sadowski seconded.

<https://youtu.be/jU4k1BCSKOE?t=1h51m25s>

Discussion between the Commissioners regarding the motion.

Chairperson Luhr opened the Public Comment period.  
<https://youtu.be/jU4k1BCSKOE?t=1h52m14s>

Dan Krull expressed his concerns about the two parking spaces on Greenwood Avenue and noted if the spaces had to be on Greenwood Avenue they would most likely back out of the project.

Dina Krull also expressed why they wanted the parking spaces separated and stated the parking issue is not only their problem but also their neighbors. Krull hopes to work with her neighbors.

Chairperson Luhr closed the Public Comment period.  
<https://youtu.be/jU4k1BCSKOE?t=1h57m34s>

Discussion on the motion.

The Commissioners voted on the motion. Motion does not pass (2-3), with Chairperson Luhr, Commissioners Barron and Ingraffia voting no.

**MOTION:** Commissioner Barron moved to deny the appeal for CP0-575 Administrative Level Coastal Development Permit with the condition signage be placed at the end of Pico Street giving greater authority to the Police Department to tow unlawfully parked vehicles at the end of Pico Street. Commissioner Ingraffia seconded, and the motion passed (3-2), with Vice-Chairperson Lucas and Commissioner Ingraffia voting no.  
<https://youtu.be/jU4k1BCSKOE?t=2h2m22s>

## C. NEW BUSINESS

### C-1 **Plan Morro Bay (General Plan/LCP Update): Draft Zoning Code Update, Module 4: Overlay Districts and Citywide Standards.**

**Staff Recommendation:** Review staff report and draft Zoning Module 4, hear presentation, take public comment, discuss and provide feedback to staff.

**Staff Contact:** Scot Graham, Community Development Director, (805) 772-6291  
<https://youtu.be/jU4k1BCSKOE?t=2h6m11s>

Chairperson Luhr opened the Public Comment period.  
<https://youtu.be/jU4k1BCSKOE?t=2h7m17s>

Martony, stated the Environmentally Sensitive Habitat Area (ESHA) maps of the bay are correct and asked for it not to change. Martony would like mariculture allowed in the bay and noted to leave the ESHA map the way it is.

Chairperson Luhr closed the Public Comment period.  
<https://youtu.be/jU4k1BCSKOE?t=2h9m12s>

Discussion between the Commissioners and staff.

Graham reviewed what would be discussed in the Module 4 Zoning Code Update.

Martha Miller presented the overview for Module 4.

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The Commissioners presented their questions to staff.

The Commissioners and staff review the Draft Zoning Code Update chapters.

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENT  
<https://youtu.be/jU4k1BCSKOE?t=3h50m15s>

Commissioner Barron reminded everyone to vote on November 6<sup>th</sup>.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENT  
<https://youtu.be/jU4k1BCSKOE?t=3h50m27s>

Graham reminded the Commissioners due to the election on November 6<sup>th</sup>, the Planning Commission meeting will be held at the Community Center.

Graham answered Chairperson Luhr's question regarding the wind farm.

G. ADJOURNMENT

The meeting adjourned at 10:01 p.m. to the next special scheduled Planning Commission meeting at the Morro Bay Community Center, Multi-Purpose Room, 1001 Kennedy Way, on November 6, 2018 at 6:00 p.m.

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Gerald Luhr, Chairperson

ATTEST:

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Scot Graham, Secretary