



**MEETING MINUTES
PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
TUESDAY, SEPTEMBER 9, 2008
6:30 P.M.**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting, please contact the City Clerk's Office (473-4568) at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

CALL TO ORDER 6:30 p.m.

FLAG SALUTE:

ROLL CALL: Commissioners: Coleman, Long, Marshall, Nielsen, Vice Chair Blum, and Chair Peterson.

PUBLIC COMMENTS: *At this point of the meeting, members of the public may bring up any items within the jurisdiction of the Planning Commission that are not on the agenda. Please limit your comments to three (3) minutes. The Planning Commission will listen to all comments; however, in compliance with the Brown Act, the Commission cannot act on items not on the agenda.*

There was no one present who wished to comment.

REGULAR BUSINESS:

1. Election of Planning Commission Officers

Commissioner Marshall made the motion to nominate Karl Blum for Chair and Commissioner Coleman for Vice Chair and the motion was carried with a vote of 6-0-0-0.

CONSENT ITEMS:

2. Approval of Minutes of Planning Commission meeting of November 13, 2007.

Recommended Action: Staff recommends the Planning Commission approve the minutes as submitted.

Commissioner Marshall made the motion to approve the minutes as written; Commissioner Nielsen seconded, and the motion was carried.

WORKSHOP ITEMS:

3. SLO GREEN BUILD

Tom Murray, SLO Green Build, made a presentation about SLO Green Build and the 2030 Challenge.

PUBLIC HEARING ITEMS:

4. Development Permit Application 08-016

Applicant – Auto Zone

This application is a request for a one-year time extension to obtain a building permit and begin

construction on approved Site and Architectural Plans for a commercial building (auto parts retailer). The subject property is located at 1401 West Grand Avenue (Assessor Parcel No. 060-246-006, -007, -008, and portion of -013) in the Shopping Center (C-S) Zoning District. The project planner is Janet Reese.

Recommended Action: Adopt the Resolution approving the time extension for Development Permit Application No. 06-025.

Planner Reese presented the staff report for the time extension and outlined the background of the project and the reason for the extension request. Staff recommends the granting of the time extension for one year.

Chair Peterson opened the public hearing; there was no one present who wished to comment. Commissioner Long made the motion to approve the extension; Commissioner Coleman seconded the motion and it was carried with a vote of 6-0-0.

5. Development Permit Application 08-015

Applicant – Michelle Ogle

This application is a request for a Use Permit to allow a psychotherapy counseling office. The subject property is located at 910 Ramona Avenue, Unit H (Assessor Parcel No. 060-231-046) in the Central Business District (C-B-D) Zoning District. The project planner is Janet Reese.

Recommended Action: Adopt the Resolution granting the Use Permit to allow a psychotherapy counseling office as requested in Development Permit Application No. 08-015.

Planner Reese presented the staff report. She described the existing conditions and the proposed project. Staff is recommending approval of the use permit.

Chair Peterson opened the public hearing. There was no one present who wished to comment. The public hearing was closed. Commissioner Coleman made the motion to grant the use permit; Commissioner Nielsen seconded the motion and it was carried.

6. Development Permit Application 08-013

Applicant – Margarita's Pizza

This application is a request for a Use Permit to allow a wall sign that is 30% of the building face and a 40 square foot roof sign. The subject property is located at 967 West Grand Avenue (Assessor Parcel No. 060-231-007) in the Central Business District (C-B-D) Zoning District. The project planner is Janet Reese.

Recommended Action: Adopt the Resolution granting the Use Permit to allow the requested signage for Development Permit Application No. 08-013.

Planner Reese presented the staff report. She described the need for a use permit for the proposed wall sign and described the proposed signs. Staff is recommending approval of the use permit.

Chair Peterson opened the public hearing. Bruce Severence spoke on behalf of the applicant and described the background of the existing signs and the need for new signs.

Linda McClure, American Property Services, spoke in support of the signs, stating that it

would increase the visibility of the business and people will stay here in town.

Chair Peterson closed the public hearing.

Commissioner Blum made the motion to grant the use permit; Commissioner Long seconded the motion, and it was carried with a vote of 6-0-0-0.

7. Development Permit Application 07-029

Applicant – Ron McKenna

This application is a request for approval of Tentative Tract Map No. 2953 to allow an airspace condominium subdivision for a previously approved, but not yet constructed, building to consist of 2 live-work units and commercial space. The subject property is located at 200 South 4th Street (Assessor Parcel No. 060-213-013) in the Coastal Industrial (C-I) Zoning District. The project planner is Planning Manager Diana S. Gould.

Recommended Action: Adopt the Resolution recommending to the City Council approval of the Tentative Tract Map for Development Permit Application No. 07-029.

Planning Manager Gould Wells presented the staff report for the project. She described the background of the project. She stated that there is no physical change to the proposed structure, so no new CDP is not necessary. The project is consistent with the General Plan. Staff is recommending approval.

Commissioner Marshall asked about the Coastal Commission contingency and asked if they would have to come back to the Planning Commission. Ms. Gould Wells indicated that they have been working closely with Coastal Commission staff and hope that it will move forward.

Chair Peterson opened the public hearing; there was no one present who wished to comment and the hearing was closed. Commissioner Long made the motion to recommend approval; Commissioner Blum seconded the motion, and it was carried with a vote of 6-0-0-0.

8. Development Permit Application 08-017

Applicant – Gabe Ramirez

This application is a request to approve a new Tentative Tract Map No. 2849. Prior Map was approved by the City Council in February 2007. The approved project consisted of a 7-unit condominium conversion of an existing apartment building which included two deed-restricted moderate income units and a Planned Unit Development with 5 townhomes. The applicant requests to revise the project such that the 7 apartments (previously approved as condominiums) would remain as apartments and not be converted to condominiums. All other components of the approved project would remain the same. The subject property is located at 1510 Brighton Avenue (Assessor Parcel No. 060-176-070 and 071) in the Multiple Residential (R-3) Zoning District. The project planner is Planning Manager Diana S. Gould.

Recommended Action: Adopt the Resolution recommending to the City Council approval of Tentative Tract Map No. 2849 for a 5-unit townhome and 7-unit apartment development for Development Permit Application No. 08-017.

Chair Peterson stated that the only thing being considered with this item is the Tentative Tract Map.

Planning Manager Diana Gould presented the staff report. She stated that this item is a request to recommend to City Council approval of Tentative Tract Map 2849, for the subject property.

She stated that in February 2007, the City Council approved a Tentative Tract Map, Site and Architectural Plans and a Use Permit for this project. The project that was approved by the City Council included a 5-unit Planned Unit Development at the front of the site, and the conversion of an existing seven-unit apartment building into seven condominiums. Three of those existing units were to be deed restricted for moderate-income households. In addition there was going to be a common lot which included a parking area and common open space area. The total number of parcels approved by the City Council was 13 parcels.

In October of 2007, the City received a letter from the applicant requesting that the apartment building remain as apartments rather than be converted to condominiums. In addition, there were several other modifications that were proposed by the applicant, including floor plan changes, the addition of roof decks on four of the five planned unit developments, and relocation of the trash enclosure. Those requests were approved by the Community Development Director. The applicant proceeded on the basis of that approval and moved forward to submit a final tract map in August 2008, omitting the conversion of the apartments to condominiums. Omitting that conversion, reduced the number of parcels on the Tentative Tract Map to seven, from the original 13. Because of this change, the Final Map that was proposed was not in substantial compliance with the original approved Tentative Tract Map. For a Final Map to be approved, it must be in substantial compliance with the Tentative Tract Map that was approved.

The applicant was informed that a new Tentative Tract Map would be required that showed the seven units as apartment units rather than condominiums and the new lot configuration. The new Map is the subject of this discussion.

The new Tract Map shows the apartments as rental units rather than being ownership units. All previously approved conditions for the Site and Architectural Approval and Use Permit are still applicable. No other changes to those conditions are being recommended.

The Tentative Tract Map was reviewed by the City Engineer for conformity with the City's Municipal Code and was found to be compliant with these requirements. The new map shows a total of seven parcels, including the five planned unit development units, the existing apartment building as a separate parcel, and one common lot.

It is Staff's recommendation to recommend to the City Council approval of the Tentative Tract Map. Based on the recommendation of the Planning Commission, this item will go to the City Council at the first meeting in October for consideration of both the Tentative Map and the Final Map, if there are no changes recommended by the City Council. This would allow the applicant to move forward with the project. Staff wants to work with the applicant to move this forward in an expedient manner.

Commissioner Nielsen asked for clarification on the resolution number. Planning Manager Gould indicated that 08-039 is the correct number.

Chair Peterson opened the public hearing. Gabe Ramirez, project applicant, thanked Staff for their assistance. He asked about the time limit for the deed restriction, which indicated 45 years, when previously, it had been 30 years.

City Attorney Koczanowicz stated that typically, a 45 year requirement is for properties in a redevelopment area. He stated that this project is not in one of those areas, and Staff would

recommend making the current condition consistent with the previously adopted condition.

Jim Starkey, property owner of the lots adjacent to the project site (1480 and 1484 Brighton), stated that because of the way the subject property slopes, some of the debris from the project site comes down onto his property. He stated that the five lots are currently just dirt, and when it rains, it will wash down onto his property. He would like something done so that that doesn't occur. He stated that he doesn't have a concern about the apartments not being converted to condominiums.

Chair Peterson stated that she wasn't sure that this was something that could be addressed at this public hearing.

City Attorney Koczanowicz stated that Staff will work with Mr. Ramirez to ensure that the conditions of approval for the original project are complied with. Among those conditions are best practices for construction methods, and Staff will ensure those are being complied with to prevent run-off.

Chair Peterson stated that if Mr. Starkey has any issues, he should contact Planning Manager Gould. Mr. Starkey stated that he has had dealings with Staff members in the past and they have always been very helpful.

Chair Peterson closed the public hearing.

Commissioner Coleman asked if the slope issue was related to the slope of the driveway. City Attorney Koczanowicz stated that the slope of the driveway may contribute to the issue. Staff will work with the project applicant to ensure that there is no run-off offsite during construction.

Chair Peterson stated that she recalled the meeting where this project was initially discussed, and some members of the Commission expressed concern about converting apartments to condominiums, and if they would be meeting the needs related to affordable housing in the community. She stated that she is glad to see that these will be remaining as apartment units and continuing to add to the affordable housing.

Planning Manager Gould clarified that the affordable units will be under a 30-year deed restriction, and that they would make the appropriate changes. Commissioner Marshall made the motion to accept Staff's recommendation, recommending approval of the project, with a change to General Condition #6, changing 45 years to 30 years. Commissioner Nielsen seconded the motion and it was carried.

9. Development Permit Application No. 07-010

Applicant – 152 N 11th LLC

This Application is a request for approval of Site and Architectural Plans, Use Permit and Tentative Parcel Map to be processed under the West Grand Avenue Corridor Planned Development Overlay for the construction of a three-story mixed use building. The subject property is located at 152 North 11th Street (Assessor Parcel No. 060-237-007) and is zoned Central Business District (C-B-D). The project planner is Janet Reese.

Recommended Action: Adopt the Resolutions approving the application of the Planned Development Overlay, Site and Architectural Plans, Use Permit, and Tentative Parcel Map to allow the construction of a three-story mixed use building for Development Permit Application No. 07-010.

Commissioner Coleman recused herself due to her proximity to the project.

Planner Reese presented the staff report. She described the background of the project and the project before them. She described the project and the PD Overlay and the requirement to install and maintain a public benefit educational sign. Staff believes that their proposal meets the requirement. She indicated that the applicant requests a reduction of the required parking spaces using the shared peak hour parking and air quality reductions reducing the requirement to seven on-site spaces. Staff is recommending approval of the project subject to the conditions contained in the resolutions.

Chair Peterson opened the public hearing. Craig Smith spoke on behalf of the applicant. He distributed some exhibits to the Commission. They have reviewed the staff report and conditions of approval and have made revisions. He described the sustainable aspects of their project and the public monument providing information to the public.

There was discussion regarding Green Build components.

Commissioner Marshall indicated that would rather there be a bench than the sign for the public benefit. He also remarked about the air quality incentive, and asked that maybe require them to add a bus bench that could make a difference for the air quality incentive.

Mr. Smith stated that they originally proposed a bench, but due to maintenance issues, it was not considered.

Chair Peterson stated that she likes the monolith because it starts education about this topic and she supports that.

Commissioner Marshall does not like the appearance of the monolith.

Planner Reese stated that staff felt that with the sign on the building, it would not be noticeable.

Commissioner Nielsen expressed concern about the parking. Mr. Smith stated that they are asking for less than half a space difference than what would be required, and the public benefit offsets that, and this meets the required standards.

Linda McClure expressed support of the project. She stated that when a business goes in there, they would know of the limited parking. Chair Peterson expressed that the Commission has to consider the possibility of there not being enough parking to support businesses on the site.

Chair Peterson asked about the findings that they are required to make to approve the project. Commissioner Marshall brought up the request that a bench be required.

City Attorney Koczanowicz stated that voluntary installation of a bench could probably be worked out from a maintenance standpoint; however, there are no provisions in the code to allow them to require this bench to be installed and maintained.

Vice Chair Blum made the motion to accept staff's recommendation; Commissioner Long seconded the motion, and it was carried with a vote of 5-0-0-1, with Commissioner Coleman recused due to a conflict of interest.

ADJOURNMENT 9:15 p.m.

/s/
CHAIR COLEMAN

/s/
SECRETARY TO THE PLANNING COMMISSION
PAT BECK, INTERIM COMMUNITY DEVELOPMENT DIRECTOR

(Approved at PC Meeting: January 12, 2010)