



**MEETING MINUTES  
PLANNING COMMISSION  
CITY HALL COUNCIL CHAMBERS  
154 SOUTH EIGHTH STREET  
GROVER BEACH, CALIFORNIA  
TUESDAY, JANUARY 13, 2009  
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. by Chair Blum.

**FLAG SALUTE** Led by Commissioner Marshall.

**PRESENT:** Commissioners Marshall, Nielsen, Long, Roberson, Vice Chair Coleman, and Chair Blum.

**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.*

None received.

**REGULAR BUSINESS**

**1. Approval of Planning Commission minutes of February 13, 2008 and December 9, 2008.**

**Motion:** Commissioner Marshall.

**Second:** Commissioner Roberson.

**Ayes:** Commissioners Long, Marshall, Nielsen, Roberson, Vice Chair Coleman, and Chair Blum.

**Noes:** None.

**Absent:** NA

**Abstained:** None.

**PUBLIC HEARING ITEMS:**

**2. Development Permit Application 08-027**

**Applicant – Ron Perkins of IGIT, Inc.**

This application is a request to modify the approved Site and Architectural Plans for two units of a three-unit Planned Unit Development by adding roof decks. The subject properties are located at 1730 and 1732 Newport Avenue (Assessor Parcel Nos. 060-184-012 and -013) in the Duplex Residential (R-2) Zoning District. The project planner is Janet Reese.

Janet Reese presents power point and describes the project as a modification to allow decks using exterior stairways. This was original requested as a minor modification; however, roof decks and exterior stairways are precluded through the minor modification process. Thus, they have requested the revised Site Plan and Architectural approval. The roof decks will be below the original roof height and will meet the ordinance requirements for roof decks.

Janet distributes page 2 of staff report (which had been omitted in copying) and a clarification of the Resolution describing this as a modification.

Commissioner Marshall asks if the page 2-6 reference to prior Resolution which contains additional conditions are still in affect for the project. Janet Reese, staff planner clarifies.

Ron Perkins, applicant, concurs with the staff recommendations and is available for questions.

Commissioner Marshall asks if any neighbors have concerns and there appear to be none.

**Recommended Action:** Adopt the Resolution approving the modifications to the Architectural Plans.

**Motion:** Commissioner Long.

**Second:** Vice Chair Coleman.

**Ayes:** Commissioners Long, Marshall, Nielsen, Roberson, Vice Chair Coleman, and Chair Blum.

**Noes:** None

**Absent:** N/A

**Abstained:** N/A

### **3. Development Permit Application 08-004**

#### **Applicant – John and Lauren Stevens**

This application is a request for approval of Tentative Parcel Map for a four (4) lot subdivision. The subject property is located at 198 Foremaster Lane (Assessor Parcel No. 060-014-060) in the Single Family Residential (R-1) Zoning District. The project planner is Janet Reese.

Interim Community Development Director Beck clarifies the determination of the City Council concerning the variance requirements not being applicable to this property and that they referred this matter back to the Planning Commission for action on the proposed parcel map and indicates that the City Engineer and Fire Chief will address the Planning Commission as well..

Janet Reese, project planner, reviews the project and presents a PowerPoint that covers the conditions of approval, fire considerations, access, and drainage.

Jim Garing, City Engineer, makes a presentation concerning City requirements and the drainage improvements required by the city.

Commissioner Blum has questions concerning the capacity of the drainage basin. City Engineer Garing discusses how the drainage basin would work and what can be contained and will infiltrate. He indicates that this design should be able to hold the vast majority of any storm runoff.

Commissioner Marshall speaks to Condition PW-CE-6 and asks if this system would contain a 100 year storm and whether this would normally drain to the north and does that raise a concern. City Engineer Garing speaks to final plan check review and directing the runoff to the historic manner of flows.

Mike Hubert, Fire Chief, makes a presentation indicating that the project meets all Fire Department requirements and substantially improves upon the present condition with the requirement for fire hydrants and road design improvements.

Commissioner Long asks if the access will be better than some of the other streets like Sharon Lane. Fire Chief speaks to this project having a 30' access way as opposed to the 20' access on Sharon Lane.

Community Development Director speaks to the Police Department position after speaking with the Police Chief, to address the questions from written comments received from Commissioner Marshall.

Commissioner Marshall asks a question concerning garbage service. Staff has discussed this with the garbage company, who indicated that the proposed road design can handle the weight of the trucks and service can be better handled. Applicant answers questions concerning present service on the site.

Commissioner Marshall asks questions concerning the abandonment of the various existing easements and private easements. Jim Garing, City Engineer indicates how this will be handled.

Commissioner Marshall questions the standards in this neighborhood. Staff speaks to the standards required here.

Director Beck speaks to the process and asks if we have an agreement to access the adjoining property and was this required upfront at time of acceptance. Janet Reese answers yes.

Commissioner Roberson questions where the visitor parking would be located. Janet indicates that the applicant will do a presentation concerning the design, including parking and possible residential development on the two vacant parcels.

John Mack, applicant representative presents a PowerPoint presentation illustrating site access, areas of new structures and new garages for lots 1 and 2. He discusses the R-1 requirements from the Municipal Code that would apply at the time of proposed building and indicated that no mature oak trees will be removed to accommodate the residences. He proposes the use of grasscrete in areas of the project.

Commissioner Coleman asks question concerning clarification about the back side of the project and its conceptual structure on the small parcel.

Mr. Mack reviews the adjoining home on Foremaster Lane and how it meets the standards. He speaks to the Fire Access Requirements and demonstrates how they meet with the project design. The fire access would also allow the Fire Department to access the homes on lower end of Sharon Lane.

Mr. Mack also discusses the drainage evaluation that was done for the project and how they did a design to meet the requirement to retain the water on the site that will also protect residents downhill on Margarita. He speaks to the neighborhood meeting that occurred for the previous proposed project and the project costs and that it is not just about making money but also about improving the neighborhood. He concludes with a summary of the project benefits.

Commissioner Roberson again questions guest parking for new parcels John Mack demonstrates how the guest parking was reflected.

Commissioner Marshall asks why they did not choose to remove the existing residences and start with a fresh vacant project and get additional lots. John Mack speaks to not wanting to lose the existing estate residences. The project will also put in fire sprinklers and new garages for the

existing residence. There will be maintenance agreement for landscape, drainage, and the driveways, as common components of the project.

Chair Blum asks about the maintenance of the drainage basin and how often this is required. Mr. Mack speaks to this and how the sediment box is cleaned out.

Commissioner Coleman asks if a French drain like this is unique. John Mack speaks to that there are more of these happening in projects and that there are benefits; for example, you don't have to maintain a basin, remove weeds, etc.

Commissioner Marshall asks about the sewer maintenance requirements for the pumps to move the sewage up to Ritchie Road. John Mack indicates that it will be maintained. City Attorney indicates that this is covered in CDD-10.

Commissioner Roberson questions the drainage system and is concerned because it seems that there is more water not captured by the basin than water that is captured because the majority of property is below the proposed drainage basin. Mr. Mack speaks to how the lower portion is handled and the presence of two small basins to hold that runoff.

Jack Stevens, the applicant, speaks to purpose of this project and making improvements for the neighborhood, etc.

Tom Clough, 125 Sharon Lane, presents a letter to Commission and discusses his concerns. He notes that the on-site neighborhood meeting did not lead to approval of that project and that this project should not be considered piecemeal – everything should be considered up front including the proposed residences. This project should not be exempt under CEQA based on noise, traffic, water runoff control and design, water containment maintenance and shifting land and mud slides. He requests that a complete analysis be required before approval. He expresses that there are serious risks that will exist if the project starts and fails to complete the improvements and this could lead to environmental issues. He is concerned that there are no project bonds noted in the staff report to address infrastructure and that the one indemnification requirement doesn't adequately address this. The liability to the City could be substantial. He feels that problems could arise from malfunctioning of the drainage. In addition, he does not agree with the City Council decision that a variance is not required to allow this project and doesn't believe this was adequately addressed. Request that the project should be denied.

Linda McClure, business owner in Grover Beach, indicates that this project demonstrates the problems that we have here in the City where a property owner has been working for several years to find solutions and met the requirements of each of the City departments and this should be approved. If there are future improvements, those should stand on their own. She doesn't agree that the houses should be removed, they are beautiful homes.

Lauren Stevens, co-applicant, presents a letter and speaks to the adjoining Ward property and adequate fire safety and drainage issues. She expressed that currently, Fire access is problematic. With the new project, that access and drainage will be improved.

Barbara Diamond, 922 Margarita Ave., asked if there would be CC&R's to address this, planned maintenance, and if monies are set aside to have a retention basin, and have a set plan for when the basin will be serviced. She also requested a copy of the conditions of approval.

Rick Odom, 136 Sharon Lane, speaks to concerns about increased traffic on Ritchie Road, with the school being located across the street and risk to school children. Further, speaks to loss of views

from residences on Sharon Lane. He asks how putting more on this property improves the neighborhood. He feels that it seems so clustered, and even with just the 4 lots it seems too much and asks that the project be denied.

Steven Hughes, 115 Sharon Lane, is glad that the Fire Department can access the rear areas along Sharon Lane and speaks to the cars parked on Foremaster. He is concerned about the traffic and the school children. Further, he is concerned that the drainage won't work and that there is a need for a bond. He is opposed to the project.

Anita Shower, Grover Beach resident, states in researching her book, she found an access road to the rear of the property. She asked about the status of that road.

Susan Hughes, 115 Sharon Lane, thanks the applicants for trying to listen. She cites an example of parking that occurs on Foremaster but how will the parking on this street be enforced. She is concerned about the traffic on Ritchie Road and the impacts at the school area. Her house doesn't have sprinklers but appreciates that the new ones will. We need to be cautious, and we have limited manpower and liability issues on the city.

Jack Hardy, 250 Estuary Way, has been here in the city for a long time and seen hundreds of homes over the last 15 years. This is an R-1 zone and would allow 6,000 square foot lots normally and it doesn't seem to be that challenging and every issue has been adequately addressed. R-1 zoning should be allowed to be developed as provided and more litigation will come from not allowing this to go at this density. Regarding traffic at the school, this is just two additional houses and it is not that great of an impact. If you are trying to prevent something, people will cite that we need to meet CEQA to stop development. The proposed smallest lot is actually 6,700 square feet – meets the 6,000 minimum parcel size. Staff has reviewed and states that it meets the requirements. This development is far less dense than surrounding development. He supports approving the project because it fits within our rules.

John Mack, indicates that his job is to respond to neighbor concerns and he specifically addresses Tom Clough concerns. Speaking to the bond requirement, Condition PW-C-3 speaks to the issue of drainage and that the full system must be in place before the map can be finalized or build structures. He speaks to the concerns of Susan Hughes about the fire lane requirement, indicating that in the future the road will be posted as a fire lane and that less parking will occur than in the present circumstances.

Ginny Bailey-Hill, 135 Sharon Lane, asks the Commission to reject the application. She feels that the report is cursory and deficient and leaves the City legally vulnerable. She cites that the previous report on page 3-43 expressed concerns about the usability of the smallest parcel and that this report doesn't seem to address. She asks about the amount of earth that will need to be moved to construct the basin and what about the construction impacts on the neighborhood. She is concerned that the staff ruled out the impacts to Ritchie Road but that there is no supporting documentation. Finally, she expresses that while there are many conditions on the project, there is no discussion of the extensive and costly construction that would have to take place and the potential impacts on the neighborhood is a serious flaw. She states that this isn't raw flat land in an isolated area but is a very steep parcel of property bordered by homes and an oak grove, and accessed via a busy street by a busy school. She asks the Commission to reject the application without prejudice.

Commissioner Nielsen indicates that he is a builder and has been on the site and that while it is a tricky site, it is doable. He expresses that where the two new structures will be located that we shouldn't be required to address the views since that is not the application before us. He has

concerned about Lot 3 being too small and agrees it has a great view and that story poles will provide more detailed information. He indicates that the drainage will be improved. He expresses that he likes what they have done and thinks it is all doable. He can understand why the neighbors aren't going along with the project. He states that the applicant has done a good job.

Commissioner Marshall asks about possible secondary dwelling. Staff indicates that this will probably not occur on Parcel 3 due to site coverage limitations. He expresses concerns with Parcel 3 and particularly the split yard area and lack of usable yard space. He questions whether this could have been developed as a PUD.

Commissioner Marshall speaks to Mr. Clough's CEQA concerns and asks staff for clarification. City Attorney Koczanowicz speaks to the purpose of the Categorical Exemption as this is an infill project with only two additional homes which will generate limited additional traffic.

Commissioner Marshall also indicates that there are conditions regarding bonds required for the project. He feels that maintenance is also covered with the conditions and will be adequate if there is enforcement needed. Finally, he indicates that he could support more density depending upon the issue of removing the existing homes and starting with a vacant property. He has strong concerns about the existing easements and does not agree that the map can make these easements go away and believes there should be conditions to address this. He feels that the project is an improvement on the access ways and agrees there are no significant traffic concerns with the limited additional development. He questions staff comments about the usability of the site.

Interim Director Beck addresses staff's previous concerns about Lot 3, and indicates that they do still have concerns, but it's about whether achieving additional home sites in this area is an appropriate thing to do. The Planning Commission could conclude that the site is too constrained and not support the project.

Commissioner Roberson is concerned that traffic is not just that coming from the new residences but also is concerned that designating Foremaster as a fire lane will preclude visitor parking for other existing properties. She also expressed concern about Lot 3, and feels that it meets the letter of the law, but not the intent. She doesn't feel that she can support four lots on the site.

Commissioner Long feels this is a challenging site but this project has addressed the concerns and can support the project recognizing there will be construction impacts.

Commissioner Coleman speaks to how her concerns have been addressed concerning fire issues and that the applicant's representative has addressed the other concerns. She expresses that parking will still be a concern. This is a request for tentative parcel map and she can support it based on the additional information.

Chair Blum expresses that he couldn't support the variance when it came before them previously. He did some more research and after talking with the Fire Chief concerning safety on Sharon Lane and this addressed his concerns. He feels that the applicants have worked hard to show how they meet the requirements and that they have a right to build in accordance with City standards. He expresses that view considerations will always be a concern in this area of the City and this is a tough thing and speaks to the City requirements and how they can be met. He concurs that 2 additional homes are not as significant as other projects and that the project is viable and an improvement in the city even though no one wants to see the loss of open space but infill is the way that the city can continue to provide for development.

He asks question of John Mack and speaks to Lot 3 and the decision to shift the angle hammerhead to the north. John Mack speaks to saving the large oak tree and while they could make the hammerhead work, they also wanted to protect the tree. John Mack also speaks to making the site 6700 square feet vs. the 6,000 minimum requirement.

Commissioner Marshall expresses that based upon his concern about the easements concerns and the configuration of Lot 3, he cannot support the project.

Vice Chair Coleman asks Commissioner Marshall if he has other suggestions.

John Mack speaks to other projects that he has completed such as Cherry Hill and that this project has similar driveways and doesn't see this as a problem.

Commissioner Marshall again indicates that he can't agree on Lot 3.

Commissioner Long asked Commissioner Marshall about his concern about the easements. Commissioner Marshall stated that the easements are private that are proposed to be abandoned as part of the tentative map. The City Engineer and City Attorney seem to be fine with it, so that is enough.

Commissioner Long made a recommendation to adopt Resolution No. 08-046, according to staff's recommendations. Vice Chair Coleman seconded the motion and it was carried with a vote of 4-2-0-0 with Commissioners Marshall and Roberson voting no.

**Recommended Action:** Adopt the Resolution approving the Tentative Parcel Map.

**Motion:** Commissioner Long.

**Second:** Vice Chair Coleman.

**Ayes:** Commissioners Long, Nielsen, Vice Chair Coleman, and Chair Blum.

**Noes:** Commissioners Marshall and Roberson.

**Absent:** N/A

**Abstained:** N/A

**4. Development Permit Application 08-009 (continued from December 9, 2008)**

**Appellant – Dr. John Gannon**

This application is an appeal of Staff's approval of a chimney as a minor modification. The subject site is located at 912 North 5<sup>th</sup> Street (Assessor Parcel No. 060-490-003) in the Coastal Planned Single Family (C-P-R-1) District. The project planner is Pat Beck.

City Attorney Koczanowicz indicated that he expects that this issue will be resolved and is not likely to be coming back before the Commission.

**COMMISSIONERS' COMMENTS:**

**Report from City Council Representatives** – Commissioner Nielson attended the last meeting and indicates it was a very quick meeting. He brings up that there is a **Grover Beach song** and there is a flag for the city. Question comes up about who attends future meeting – discusses. Lorrie presents and discusses next several months.

**Other Commissioners' Comments – None**



/s/

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

(Approved at PC Meeting: March 10, 2009)