



**SPECIAL MEETING MINUTES
PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
WEDNESDAY, SEPTEMBER 9, 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.

FLAG SALUTE Commissioner Alex

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

ABSENT: Commissioner Roberson.

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.*

No one was present who wished to comment.

CONSENT ITEMS:

1. Approval of Minutes of Planning Commission meeting of July 14, 2009.

Commissioner Marshall made the motion to approve the minutes as presented. Commissioner Blum seconded the motion, and it was passed with a vote of 6-0-1-0.

PUBLIC HEARING ITEMS:

2. Development Permit Application No. 09-018

Applicant – Alex deLeon

This application is a request for a time extension for Development Permit Application No. 07-024, a request for approval of Site and Architectural Plans to construct a single family residence, at 465 Park View Avenue (Assessor Parcel No. 060-526-007) in the Single Family Residential (R-1) District. The project planner is Janet Reese.

Recommended Action: Adopt the Resolution granting the time extension.

Planner Janet Reese presented the staff report. She indicated that Staff reviewed recent Municipal Code changes and believe that the time extension could be granted.

Alex DeLeon, property owner, described the previous process and indicated that there were economic reasons for the extension request.

Chair Coleman closed the public hearing.

Vice Chair Long made the motion to accept staff's recommendation; Commissioner Alex seconded the motion, and it was carried with a vote of 6-0-1-0, with Commissioner Roberson absent.

3. Development Permit Application No. 09-010

Applicant – Amil Halak

This application is a request for approval of Site and Architectural Plans and Coastal Development Permit to construct an addition to a commercial building and a Use Permit and Coastal Development Permit to establish a hookah smoking lounge at 215 (previously 275A) West Grand Avenue (Assessor Parcel No. 060-205-018) in the Coastal Visitor Services District (C-C-V). The project planner is Janet Reese.

Recommended Action: Adopt the Resolutions approving the Site and Architectural Plans and granting the Coastal Development and Use Permits.

Planner Reese presented the staff report and stated that the property owner has recently withdrawn approval of the hookah lounge project, but wants to proceed with processing the Coastal Development Permit and Architectural Approval for the construction of the addition.

She indicated that the findings can be made for the Architectural approval and the Coastal Development Permit. Staff recommends that the Planning Commission approve the site and architectural plans and Coastal Development permit.

Mike Bergantz, property owner, was present to address the Planning Commission.

City Attorney Koczanowicz addressed the letter submitted by the property owner, and indicated that the agreement between the former applicant and the property owner does not obligate the City to take any action.

Community Development Director Pat Beck indicated that they would not be Adopting Attachment 2, the resolution dealing with the Hookah lounge.

Commissioner Marshall made the motion to accept staff's recommendation, excluding Resolution 09 025; Commissioner Blum seconded the motion, and it was carried with a vote of 6-0-1-0, with Commissioner Roberson absent.

4. Development Permit Application No. 09-016

Applicant – Medina's Tire

This application is a request to amend a Use Permit to allow the existing automotive business to work outside the building at 792 West Grand Avenue (Assessor Parcel No. 060-225-011) in the Visitor Serving District (C-V). The project planner is Janet Reese.

Recommended Action: Adopt the Resolution granting the revised Use Permit.

Planner Reese presented the staff report. She described the current use and background of the project site and existing business. She indicated that the original approval required that all work take place inside the building, which is not currently happening. The use is non-conforming, and thusly, cannot be intensified or changed, unless it is approved by the Planning Commission.

She described staff's efforts working with the applicant to bring the project into compliance. She indicated that staff supports using the outdoor area in the back for repairs. Staff believes that this

would be an improvement on Grand Avenue. She stated that some of the conditions from the original approval will be carried over.

Commissioner Marshall felt that it would be inconvenient for cars to have to pull behind the building to have work done.

Director Pat Beck described efforts to bring this into compliance and indicated that the Commission could make another determination. She indicated that there are times that vehicles create a potentially hazardous situation.

Chair Coleman opened the public hearing. Herman Enriquez, owner/applicant, stated that they want to continue working and be in compliance with the City. He indicated that they service a lot of out of town customers who don't know the rules and regulations. They want to do any upgrades necessary to continue their use.

Commissioner Marshall asked if they would be able to do minor tire repairs in the front. Mr. Enriquez stated that those repairs are quick.

City Attorney Koczanowicz stated that work was never allowed in the driveway.

Vice Chair Long asked how they would access the proposed new area. Ms. Beck indicated that they would access along 8th Street.

Commissioner Marshall asked if this solution would work for the business. Mr. Enriquez indicated that they are willing to work with staff, but indicated that it would be inconvenient.

Chair Coleman asked if they thought they would lose business. Mr. Enriquez stated that they could lose business if they can't service a customer right away. He stated that they have been in business at this location for 12 years.

Chair Coleman asked if there had ever been any incidents or accidents. Mr. Enriquez stated that there have not been.

City Attorney Koczanowicz stated that this application was filed because of a possible revocation of the Use Permit due to multiple Code Enforcement violations and that staff has been working to try to find solutions to the issues.

Commissioner Marshall stated that he felt that the work out front didn't seem to be an issue. Chair Coleman asked if this condition is placed on all auto shops. Director Beck indicated that it is not, due to the size of the other lots.

Director Beck stated that they want to see the business be successful, and Staff is trying to find ways of bringing them into compliance. She stated that staff felt that there would be less impact if access was not taken off of Grand Avenue.

City Attorney Koczanowicz stated that certain findings need to be made, including impact on the neighborhood.

Commissioner Marshall stated that they should be able to use two spaces out front for quick repairs, but nothing overnight, and if they want, utilize the back for additional repairs.

Beck indicated that the concern is that it will be difficult to regulate and see when they are out of compliance.

Commissioner Nielsen stated that they are in a good position where they are, and are able to service people coming off of the beach, which provides service to visitors.

In response to a question from Commissioner Long, Mr. Enriquez indicated that the ideal location for work is in the front of the bays.

City Attorney Koczanowicz stated that one option would be to return the site to the original approved design, with the baffled fenced area in the front. Marshall asked if it was enough space for two cars; MDK stated that it could probably fit more.

Blum asked if they would be able to work on the big rigs with the new site arrangement; Mr. Enriquez stated that the rigs wouldn't be able to pull in.

Director Beck asked if they would be able to put a fence on the west side for screening. Reese indicated that there is not a setback requirement so it would be allowed.

Commissioner Marshall indicated that he is inclined to leave the site as it is and let them continue working in the front.

Beck stated that the concern with the bigger vehicles is safety, but also is concerned about the use being expanded.

Commissioner Marshall suggested that staff work with the applicant to come up with a better solution.

He asked the applicant if they would be willing to continue the item and work with staff for a solution. Mr. Enriquez indicated that he is willing. Marshall stated that he does not like the fence area on Grand Avenue. He stated that he would prefer if they could allow quick changes in the front area, limited to tire repairs and changes.

Commissioner Alex stated that the lot is too small for this use, and he hoped that they could find another lot that would be more conducive to the direction Grand Avenue is going, and allow the shop to grow.

Commissioner Blum stated that there shouldn't be any growth on site, when looking at the community vision for the area. He stated that he would prefer if they could go back to the original conditions, and review it after a year.

There were no more public comments

Vice Chair Long stated that he likes the idea of keeping the congestion off of Grand Avenue. He believes there is a solution that can be worked out.

Commissioner Marshall stated that if the fence is replaced, it would block the ability to service larger vehicles. He doesn't see a problem with allowing work on two cars out front.

Commissioner Marshall made the motion to continue the item to the October 13 meeting and directed staff to work with the applicant to find an alternate solution allowing two spaces in the front.

Commissioner Nielsen seconded the motion and it was carried, with a vote of 4-2-0-1, with Commissioner Roberson absent and Commissioners Blum and Alex voting no.

REGULAR BUSINESS:

5. Minor Modifications Report

Planner Reese presented the minor modification report.

6. Workshop/Study Session – Housing Element

Director Beck indicated that staff is going to try to bring the Housing Element to the Planning Commission in October. She updated the Commission on the changes and revisions that have been made.

She also indicated that the 30 day review for the Negative Declaration has started, and will end on October 7, 2009. It is possible that there could be comments submitted that may impact the ability to move forward, does not anticipate substantial issues. She stated that they are hopeful that they will have received comments from the State by the next meeting. She stated that they will also provide any comments received from the public at that meeting.

She stated that they are receiving a lot of comments related to the Farroll Road recommendations in the Land Use Element.

She presented the PowerPoint presentation from the August 17 City Council meeting.

COMMISSIONERS' COMMENTS:

Report from City Council Representatives

Commissioner Alex attended the City Council Meeting and outlined actions taken by the City Council.

Other Commissioners' Comments

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Director Beck updated the Commission on several projects, including:

- Safe Routes to School Grant, for both Grover Beach and Grover Heights Elementary Schools for curb, gutter and sidewalks, bike lanes, and press to walk on Atlantic City.
- September 15 there will be a meeting to discuss Safe Routes to School and the Longbranch Demonstration Project.
- Greenhouse Gas inventory—baseline of how much the community contributes to Greenhouse Gasses and a Climate Action Plan. LUE has policies related to this issue.
- Land Use Element—12 comment letters were received; the consultant and staff will review

comments and decide if changes are needed and prepare responses to comments. Staff tentatively plans to bring it to public hearing in November.

STAFF COMMENTS

Bruce Buckingham updated the Planning Commission on the Economic Development projects including the Beach Front Lodge, Hilton Hotel, sewer industrial project, the Train Station project, Grand Avenue Improvement Project, Technology Master Plan, RFP for Citywide Branding Signage Program (Wayfinding), streamlining, Zoning Code amendments, Grand Avenue Specific Plan RFP, and a business development workshop with EVC (Economic Vitality Corporation).

ADJOURNMENT

The meeting was adjourned at 8:40.

/s/

CHAIR COLEMAN

/s/

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

(Approved at PC Meeting: October 13, 2009)