



**MEETING MINUTES
PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
TUESDAY, SEPTEMBER 9, 2014**

CALL TO ORDER 6:30 p.m.

FLAG SALUTE Vice Chair Blum.

ROLL CALL: Commissioners Rodman, Vice Chair Blum and Chair Laferriere were present. Commissioners Alex and Long were absent.

Staff present: Community Development Director Buckingham and Planner II Reese.

AGENDA REVIEW:

Chair Laferriere stated that due to the absence of two of the Commissioners, a passing motion would require a 3-0 vote. Applicants have the option to request a continuance in order for the project to be presented before all of the members of the Commission.

Action: It was m/s by Commissioner Rodman/Vice Chair Blum to accept the agenda as presented, and it passed unanimously.

PUBLIC COMMENTS: There was no one present that wished to speak.

Commissioner Alex arrived at 6:33 p.m.

CONSENT ITEMS:

1. Approval of Minutes of Planning Commission meeting of June 9, 2014.

Action: It was m/s by Vice Chair Blum/Commissioner Rodman to adopt the minutes as presented. The motion passed unanimously.

2. Approval of Minutes of Planning Commission meeting of June 24, 2014.

Action: It was m/s by Vice Chair Blum/Commissioner Rodman to adopt the minutes as presented. The motion passed unanimously.

PUBLIC HEARING ITEMS:

3. Development Permit Application No. 14-11

Applicant – Oasis Church (John Frady)

The Planning Commission will consider a Use Permit to operate a church in approximately 4,373 square feet of a 41,000 square foot commercial development known as "Grand Plaza." The property is located at 1560 and 1562 West Grand Avenue (APN 060-252-005) in the Retail Commercial (RC) Zone.

Chair Laferriere stated that due to the absence of one of the Commissioners, a passing motion would require at least three of the four commissioners. He informed the applicant that he had the option to request a continuance in order for the project to be presented before all of the

members of the Commission. John Frady, representing Oasis Church, declined the continuance.

Planner II Reese presented the staff report. She noted the receipt of a letter from Grandview Property Management (Duke and Lori Sterling) in support of the proposed use.

Commissioner Alex requested clarification on the days and times that the parking demand for the proposed use would not conflict with the existing uses. Planner Reese confirmed that parking should not be an issue Monday through Saturday after 6:00 p.m. and all day Sunday.

Chair Laferriere asked how staff determined that the maximum allowable occupancy for Monday through Saturday prior to 6:00 p.m. should be 17 persons.

Director Buckingham stated that based on the general parking requirement of one space per 250 square feet, the unit would require 17 parking spaces. There isn't a direct correlation between parking spaces and people, since people can carpool, but prior to 6:00 p.m., there is not likely to be many group activities.

Chair Laferriere opened the public hearing.

John Frady, applicant, stated that the limitation of 17 people is acceptable, but 17 parking spaces may be easier to enforce.

In response to questions from Commissioner Alex, Mr. Frady stated that about 40 to 50 people of the congregation regularly attend services. During non-service hours, there may be two people on-site. The storage room would be converted to additional restroom facilities.

Commissioner Rodman asked if the proposed location had attracted any retail uses in the past.

Jim Jewell, property manager, stated that a State of California Worker's Compensation office had occupied the unit for an extended time.

Commissioner Alex asked if accessible parking spaces will need to be relocated in order to meet requirements due to the change of the unit into a church.

Director Buckingham stated that because the shopping center is older, it is likely that it does not meet current requirements. However, as part of a tenant improvement, the Building Official will require a certain percentage of the value of the project be put towards accessibility improvements, which may or may not involve an accessible parking space. When the ATM was installed, an accessible parking space was relocated adjacent to the ATM, which is in the vicinity of the proposed tenant space.

Chair Laferriere closed the public hearing. He asked Director Buckingham about the parking versus persons issue.

Director Buckingham stated that in a shared parking lot, it is difficult to assign parking to specific units, as shared parking is first-come, first-serve. Parking is also somewhat self-regulating, as the property owner would be responsible to provide parking for the tenants. If there is a lack of parking, tenants would complain to the property owner.

Action: It was m/s by Commissioner Rodman/Vice Chair Blum to adopt Resolution No. 14-11. The motion carried on the following roll call vote:

AYES: Commissioners Alex, Rodman, Vice Chair Blum, and Chair Laferriere.
 NOES: Commissioners – None.
 ABSENT: Commissioner Long.
 ABSTAIN: Commissioners – None.

Resolution No. 14-11: A Resolution of the Planning Commission of the City of Grover Beach, Approving a Use Permit for Development Permit 14-11 (1560-62 West Grand Avenue)

REGULAR BUSINESS ITEMS:

4. Development Permit Application No. 14-12

Applicant – Michael and Rachel Audet

The Planning Commission will consider a request to remove a mature multi-trunked oak tree located between 834 and 840 North 5th Street (APNs 060-490-027 and 060-490-028) in the Low Density Residential (R1) Zone.

Planner II Reese provided a staff report.

Vice Chair Blum asked if the tree is removed, is there a requirement to replace the tree with a certain number of trees.

Planner II Reese stated that the City does not have a tree replacement requirement. Replacement ratios included as a condition of approval have been discretionary. Director Buckingham added that if a project has a Mitigated Negative Declaration, the mitigation measure will specify the size and number of replacement trees based on the maturity of the tree being removed.

Commissioner Alex asked for an explanation as to why the request was being presented to the Commission. Planner II Reese stated that one of the conditions of approval for the tract requires Planning Commission approval for the removal of any of the oak trees that were retained as part of the project design.

Director Buckingham stated that current staff doesn't know why the City Council conditioned the development to retain the oak trees, but speculated that it could have been a mitigation measure included in the Environmental Impact Report, the Council could have wanted to save the trees that were feasible to save, or the developer could have wanted to save the trees as part of the development.

Chair Laferriere opened the public hearing.

Mike Audet, co-applicant, Grover Beach resident, stated that they have owned the property for two years. He stated that the removal of the tree would eliminate roof costs related to the tree, fence repairs, and tree maintenance, would make the site more enjoyable, would allow the fence to be repaired or replaced to provide more privacy and re-establish the property line.

Commissioner Alex asked why an arborist was not hired to prepare a report.

Mr. Audet stated that they had hired Cobbs Tree Service, but to make this particular meeting, he didn't have time to prepare a formal arborist report, just the notes that are included with the staff report. The tree might survive the multiple moth infestations, but the main reason for the request is to re-establish the property line.

Christopher Clark, co-applicant, Grover Beach resident, stated that over the 25 years he has

resided there, the tree has matured and doubled or tripled in size. He stated that he is concerned about the weight of the branches and the potential of one of them falling and damaging the home.

Bill Nicolls, President of the Mar Brisa Homeowners' Association, stated that the tree is a hazard to both homes and urged the Commission approve the removal of the tree.

Chair Laferriere stated that this tree, along with many of the trees in the tract, are in conflict with condition number 15, which states that no plant species shall have a mature height of over 25 feet. He asked for guidance as to how the Commission should reconcile the conflict.

Director Buckingham stated that it would be at the discretion of the Commission as to how to address the conflict. There were view concerns at the time, which is why some homes were limited to a one-story design.

Commissioner Rodman stated that he thought the condition had to do with new vegetation, not the existing Coast Live Oaks.

Commissioner Alex stated that there are more negatives than positives for keeping the tree.

Vice Chair Blum stated that he doesn't believe the Council intended to stop property owners from protecting their property from a tree that gets so large that it endangers the property. Since the tree replacement requirement is not mandatory, he stated that he would not be supportive of requiring replacement trees.

Chair Laferriere stated that the City has a history of protecting trees. For example, the sidewalk was rerouted around the tree on 10th Street by Ramona Park, and the future improvements at Cleaver Park were designed around the existing tree. The Commission did the same thing 27 years ago by relocating the patios to accommodate the tree. However, unlike the Ramona Park or Cleaver Park trees, this tree does not have a public benefit. In addition, the tree doesn't look good like the other trees in the development, probably because it was sandwiched between two homes. He added that he also would not be supportive of requiring replacement trees because of the lack of public benefit.

Commissioner Rodman stated that comparing that tree with other distressed trees in the City due to the drought and moths, he can't tell if it's dying or if it will come back. He stated that the tree is within the Pismo Lakes watershed. If it comes back it has a benefit, but it might also have a benefit to the watershed now. He stated that it's too bad it got sandwiched between the two homes because now the Commission is considering to remove a native tree.

Action: It was m/s by Vice Chair Blum/Commissioner Alex to adopt Resolution No. 14-12. The motion carried on the following roll call vote:

- AYES: Commissioners Alex, Vice Chair Blum, and Chair Laferriere.
- NOES: Commissioners Rodman.
- ABSENT: Commissioner Long.
- ABSTAIN: Commissioners – None.

Resolution No. 14-12: A Resolution of the Planning Commission of the City of Grover Beach, Approving the Removal of a Coastal Live Oak Tree for Development Permit 14-12 (834 and 840 North 5th Street)

COMMISSIONERS' COMMENTS

Vice Chair Blum inquired about the mess behind the liquor store at 816 West Grand Avenue. Staff responded that there is an active building permit, however they were notified that the site needed to be cleaned up.

Vice Chair Blum also stated that a committee, "Save Our Streets", has been formed to promote Measure K. Streets, once they fail, will be ground into gravel and the city will have gravel streets.

Chair Laferriere inquired about the possibility of an October meeting. Staff responded that it was unlikely.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Director Buckingham stated that Chair Laferriere and Vice Chair Blum had been selected by the mayor's selection committee to be reappointed.

Director Buckingham stated that if any of the Commissioners has a copy of the Zoning Code, it can be disposed of. The Coastal Commission approved the Development Code in August.

ADJOURNMENT 7:44 p.m.

/s/
CHAIR LAFERRIERE

/s/
SECRETARY TO THE PLANNING COMMISSION
BRUCE BUCKINGHAM, COMMUNITY DEVELOPMENT DIRECTOR

(Approved at PC Meeting: December 9, 2014)