



PLANNING COMMISSION MINUTES

City Hall Council Chambers
154 South Eighth Street

Grover Beach, CA
Tuesday, February 8, 2005
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: By Chair Mires at 6:33 p.m.

FLAG SALUTE: By Vice Chair Versaw

ROLL CALL: Commissioners: Barnett, Calmenson (absent), Marshall, Matsuura (absent), Versaw, and Chair Mires.

STAFF PRESENT: Jake Raper, Community Development Director
Larry Donaldson, City Attorney
Julie Hawkins, Planner I
Joyce Williams, Recording Secretary

PUBLIC COMMENTS: None.

PRESENTATIONS: None.

STAFF COMMENTS:

1. Follow-up from last month's meeting regarding PUD setbacks

Planner I Hawkins discussed the setback standards of surrounding jurisdictions for Planned Unit Developments. She inquired to other jurisdictions. Arroyo Grande reviews on a case-by-case basis, considering what is best for lots. Pismo Beach has a Planned Development ordinance but evaluations setbacks on a case-by-case basis, applying setbacks to the whole lot. Used usually only in environmentally sensitive situations. San Luis Obispo also reviews setbacks on a case-by-case basis. Staff is still looking for direction on establishing PUD standards.

Commissioner Versaw commented that Pismo Beach stipulates for setbacks on whole lot vs. individual lots in a logical and orderly way.

Commissioner Marshall asked if we apply setbacks for whole lot. He would like to see less fuzzy lot lines, more "postage stamp" lots. He also noted that flag lots are not a good idea in subdivisions. He stated his concern to see self-sufficient parking on individual lots for keeping in line with subdivisions rather than guest parking possibly not identified on an adjacent lot.

Director Raper commented that long-term parking solutions are better identifiable with self-sufficient lot.

Commissioner Marshall suggested an ordinance or policy to be put in place.

Commissioner Barnett agreed, and had no additional comment.

Chair Mires stated his desire to keep flexibility on PUDs, and that integrity on paper is not as important as accommodations of plans.

CORRESPONDENCE: Letter from Matthew Haas, 1261 Trouville regarding Application #04-06 OHM of Central Coast, 553 So. 12th St. The concerns by Mr. Haas were regarding the roof deck, water drainage and fencing.

CONSENT AGENDA:

- 2. Approval of minutes of Regular Planning Commission meeting of January 11, 2005 (Recommendation: Staff recommends the Planning Commission approve the minutes as submitted.)**

On motion by Commissioner Versaw, seconded by Commissioner Marshall with general consensus vote to approve minutes of January 11, 2005 as amended, and accept the Agenda as presented.

REGULAR BUSINESS

- 3. Selection of Vice Chair of the Grover Beach Planning Commission:**

Motion made by Chair Mires, seconded by Commissioner Marshall, and on general consensus by the Commission, designated Commissioner Versaw as Vice Chair of Grover Beach Planning Commission.

- 4. Fence Height Interpretation and Ordinance Amendment Initiation**

Planning Commission Interpretation of Section 9137.13 of the Grover Beach Zoning Ordinance and Initiation of Ordinance Amendment with regard to fence height determinations. Planner I Julie Hawkins gave the staff report.

Director Raper clarified by stating determination is made from the high side measurements. Engineering review is required for anything higher than 6 feet. She explained regulations from other jurisdictions. Morro Bay determines height by low side measurements. Arroyo Grande has never had problems keeping 18" apart from retaining wall. San Luis Obispo makes determination using retaining wall as overall part of fence. Pismo Beach shows lot differentials of 2' or less, measure from the high side. His recommendation was to measure from high lot with engineering review above 6'.

Vice Chair Versaw inquired about the case when the property line is on the lower lot.

Director Raper responded to the determination issue of measurement from high or low slope. He stated in order to fill in 6' on low side, plan would need a retainer wall and fence. Action would require building permit, and engineering review. Will try to anticipate and extend flexibility by staff when reviewing applications.

Commissioner Barnett stated her property wall is 5' above one neighbor's property, 10' below another neighbor's property. She agreed with recommendation.

Commissioner Marshall asked Commissioner Barnett how she felt about the wall and fence.

Commissioner Barnett replied she was OK with it.

Commissioner Marshall commented that a 30" drop needs railings. Some jurisdictions have height limits.

Director Raper recommended to Commission if the retainer is 5', 6" into property line, to designate it "dead area". Allow fence on retaining wall and review case-by-case.

Commissioner Marshall commented regarding if owners wanted fence on wall, allow with height restrictions or limitations on high side, and retainer wall on lower lot.

Planner I Hawkins added that applying this determination to new lots is OK, but existing lots are difficult to determine.

Director Raper suggested streamlining decision process by presenting criteria. In his review, there have been no use permits in historical files (9-10 years old). He also suggested revision of the ordinance to satisfy the Planning Commission concerns and questions.

Commissioner Marshall inquired about options to break up tall retainers.

Director Raper requested a resolution by the Planning Commission providing staff instruction in future projects.

Commissioner Marshall quoted Section 9137.13 of the Grover Beach Zoning Regulations regarding Fences, Hedges, and Walls. Staff requested the Planning Commission to approve interpretations. Chair Mires stated that Planning Commission would approve the resolution; City Council's direction to staff will change.

Director Raper added that ordinance amendment will be returned by City Council, and hopefully with recommendations by Planning Commission, City Council will approve the resolution.

Chair Mires closed the public hearing and called for a motion.

On motion by Vice Chair Versaw, seconded by Commissioner Barnett, and on the following roll-call vote, to wit:

AYES: Vice Chair Versaw, Commissioners Barnett and Marshall, Chair Mires
NOES: None
ABSENT: Commissioners Calmenson, Matsuura
ABSTAIN: None

The foregoing Resolution No. 05-006 was adopted on this 8th day of February, 2005, approving the initiation of an ordinance amendment for establishing standards to determinations of fence height.

5. Architectural Approval Application #05-003, TNT Electric Sign Inc., 1800 Grand Ave. Ste H & I (APN 060-309-003)

A request for Architectural Approval to allow a wall sign greater than 10% of the building face in the Shopping Center District (C-S Zone). Planner I Julie Hawkins gave the staff report.

Planner I Hawkins made a correction to the staff report – sign should read "PAYDAY LOANS", not "PAYDAY ADVANCE". 18% of building face requires an Architectural Approval. Measurements of 48sf are reflected in diagram. There will be two backlit signs in the area, with this project being the last sign permitted on this building face. All signs will be centered on building face.

There were no comments by members of the Planning Commission.

Applicant Neil McNaught, 3080 E. 29th St, Long Beach, stated that it's important to have visibility due to being in a corner location. Also, they are the largest lease holder.

Vice Chair Versaw approved of the architectural plans, but wish it wasn't as wide as it is.

Commissioner Marshall agreed with Vice Chair Versaw, but had no other issues.

Commissioner Barnett gave her approval.

Chair Mires agreed with Vice Chair Versaw and Commissioner Marshall, but gave approval.

Planner I Hawkins stated that she will add a condition of approval to center the H & R Block sign at applicant's or property owner's expense.

Public Comments: None.

Chair Mires closed the public hearing and called for a motion.

On motion by Vice Chair Versaw, seconded by Commissioner Barnett, and on the following roll-call vote, to wit:

AYES: Vice Chair Versaw, Commissioner Barnett, Chair Mires
NOES: None
ABSENT: Commissioners Calmenson, Matsuura
ABSTAIN: None

The foregoing Resolution No. 05-007 was adopted on this 8th day of February, 2005, approving the application for signage.

6. Architectural Approval Application #04-081, Vic and Sharon Hammer, 867 N. 3rd Street (APN 060-491-019)

A request for Architectural Approval to allow a 1,127 square foot addition that exceeds fifteen feet in height at twenty feet, eleven inches, in the R-1 Zone north of Grand Avenue. Planner I Julie Hawkins gave the staff report.

Planner I Hawkins stated that the application complies with R-1 Zone, and that building exceeds 15' on the low high side. Applicant put up view poles to determine the obstruction of view, leaving a small view, with a 75% view impact from the neighboring property. She showed a projected viewing from the deck at 865 North 3rd St. Staff recommended Architectural and Coastal Permit approval.

Vice Chair Versaw inquired about the viewship ordinance.

Director Raper stated it was a tabled issue, referring to the Ad Hoc Committee under Amendment of Zoning Code.

Vice Chair Versaw questioned if the Committee was active.

Director Raper replied the Mayor's Committee had not been established yet.

Vice Chair Versaw expressed concern over "desirability of investment".

Director Raper explained the subjectivity of view, now and future if application is approved. He requested alternatives to project from Planning Commission. He suggested needless impact will occur if project is approved, adding the owner could appeal to City Council for determination.

Vice Chair Versaw asked if there had been discussion of redesign with applicant.

Planner I Hawkins informed applicant the Planning Commission might desire alternatives.

Commissioner Marshall notated a 5' difference in story poles on exhibit and plans.

Planner I Hawkins explained on projected diagram.

Chair Mires stated that story poles define height. 75% view of ocean would be lost.

Planner I Hawkins reminded Commission that view would be lost from kitchen. Projected picture doesn't reflect view because it's taken from deck.

Chair Mires opened Public Hearing.

Applicant Vic Hammer, 867 N. 3rd St, stated his desire for approval to project, and that is has been a lengthy process. He stated he's tried to comply with city rules and this isn't the 1st design. He added his wish for added square footage in the most practical way. He commented on suggestions previously made by Mr. Lipincott's son for a flat roof or a pitch change. He agreed to a pitch change for the roof, but refused to consider a flat roof, concerned over roof leakage and appearance.

Chair Mires inquired about the roof pitch.

Greg Witford, 969 Prince Rd, is a contractor for the applicant, stated it was a 4:12 pitch. 3:12 needs a hot mop. He asked what the percentage of view impact was to determine needless or substantial impact.

Planner I Hawkins responded historical application is 15' height from the high point creates more than 50% view loss.

Director Raper suggested the possibility of excavation.

Mr. Witford responded that since the floor levels would change, it would not be feasible.

PUBLIC COMMENTS:

Charles Lipincott, 875 N. 3rd, stated that he moved into his property in 1984, and that he is applicant's neighbor. He also stated he had done research regarding the availability of neighborhood and views. He commented that the project will obliterate the view, and requested the roof elevation to be lowered to 18'.

Commissioner Versaw suggested reducing the roofline by 2'11" to satisfy the loss of view.

Mr. Lipincott added the property value and resale would be extremely diminished, and requested solutions for doubling the size of applicant house.

Commissioner Marshall suggested to Mr. Lipincott to add a 2nd story to his home.

Mr. Lipincott responded by saying he is a single person with little need for a 2-story structure. 3 bedrooms is enough, and he understands the objective of city growth.

Commissioner Marshall commented saying the value wouldn't be impacted, since he has the capability to build.

Mr. Lipincott commented that the view of Avila is gratifying.

David Lipincott, 320 N. 7th St., stated that applicant can add living space without building up. The Building Department calculated 80-90% of view. After the story poles went up, he spoke with applicant to suggest lowering rake using composition shingles. 2:12 roof would leave a 12' peak, which would still be obscuring. 12 – 18" deep excavation would save the view. His requests were: 1) delete 2nd story addition, instead building a ground addition; 2) build 2nd story with a flat roof, or; 3) construct the 2nd story with 2:12 roof, deepen excavation by 18". Move story poles to see if feasible.

Chair Mires requested Mr. Witford state his position on roof pitch change.

Mr. Witford stated that he was taught that 3:12 should be the minimum measurement to use, and that anything less doesn't provide enough pitch to blow water out. He stated that flat roofs will leak after 5 years. He addressed deepening the excavation by stating the cost to be too high to put story poles up again.

Vice Chair Versaw commented to the substantial financial impact to the building.

Chair Mires requested suggestions by contractor.

Commissioner Marshall inquired about possible future plans.

Contract Witford answered that it was not feasible or cost effective.

Vice Chair Versaw commented that impacts are important to consider, but no one is guaranteed a view. She suggested that applicant work with the neighbor on a mutual compromise.

Commissioner Marshall agreed that view sheds are not protected. Potential to build a 2nd story is available, and sided with the applicant.

Commissioner Barnett agreed, asked applicant to seek a compromise for the neighbor affected.

Chair Mires agreed that neighbor can also build. Any potential future buyers would probably build up. He stated his concern for setting a standard for view sheds. He questioned if the current law protects the right to view. He recommended applicant redesign and continue for a later date of 1 – 2 months.

Applicant Hammer responded by reviewing past plans, and was objective in lowering the roof pitch.

Chair Mire suggested a one-month continuance to explore pitch alternatives.

Director Raper informed the Commission that reducing 2:12 will still obstruct without the additional 18" excavation. Changing the roof pitch will not lower the roof enough, however, if the applicant is willing to modify 2:12, it does reflect that applicant is willing. Neighbor may appeal at that time if unsatisfied.

Chair Mires stated Architect is responsible for redesign, not Planning Commission.

Commissioner Marshall suggested a less than 50% blockage rule.

Planner I Hawkins explained the view expanse rule of thumb: 50% or more requires view poles and impact review.

Applicant Hammer requested a decision be made tonight. He stated he considered moving, but wife won't move. He expressed willingness to lower roof pitch, but won't guarantee 2:12 without hot mopping.

Commissioner Marshall expressed in favor of applicant and empathy with neighbor's loss of view, but stated view loss won't impact house value.

Director Raper quoted the appeal fee (\$250) within 5 days of action.

Chair Mires closed the public hearing and called for a motion.

On motion by Commissioner Marshall, seconded by Commissioner Barnett, and on the following roll-call vote, to wit:

AYES: Commissioner Marshall, Commissioner Barnett, Chair Mires
NOES: Vice Chair Versaw
ABSENT: Commissioners Calmenson, Matsuura
ABSTAIN: None

The foregoing Resolution No. 05-008 was adopted on this 8th day of February, 2005, to conditionally approve the application.

PUBLIC HEARING ITEMS:

7. Continued Public Hearing- Use Permit, Architectural Approval, and Tentative Parcel Map Application #04-064, OHM of Central Coast, 553 S. 12th St. (APN 060-295-022)

A continued public hearing for Use Permit, Architectural Approval, Tentative Parcel Map to construct a 3-unit Planned Unit Development at 553 S. 12th Street in the Duplex Residential District (R-2 Zone). Planner I Julie Hawkins gave the staff report.

Vice Chair Versaw requested information on possible drainage issues.

Director Raper stated that it depends on retention basin location and design, and that there is a valid concern from adjacent property owner. The delineation of the retention basin is the responsibility of applicants as a part of the parcel map.

Vice Chair Versaw notated a correction needed to Attachment A. It read "North Grover", and should be "South Grover". She also expressed concern with Unit 3 and the vehicle turnaround radius.

Planner I Hawkins responded the driveway is commercial, and meets code set by zoning ordinance.

Vice Chair Versaw questioned if the landscaping next to the garage was necessary.

Planner I Hawkins answered it was part of the 35', and suggested applicant might change usable yard.

Commissioner Marshall expressed a desire to see 3rd unit redesigned. He also asked if tentative maps address submittal requirements, and if staff has a checklist of requirements.

Director Raper notated that if not, application is identified as incomplete.

Planner I Hawkins stated the areas of settlement and inundation doesn't meet requirements on plans, and the issue is usually addressed to larger projects. Delineation of retention basin would be insured before recorded. She requested to commission a requirement of "footprints" for PUDs, drainage, requiring a policy change. Staff is currently updating checklist.

Commissioner Marshall agreed that applicant needed a blanket easement. Commissioner Marshall also inquired about overflow drainage in respect to adjacent properties.

Planner I Hawkins responded to say the Engineer will review drainage before finalizing plans.

Vice Chair Versaw expressed concern over parking for 3rd unit.

Applicant responded by explaining that to maximize square footage, placement of parking is more forward, accommodating setbacks, landscaping, codes and zones.

Vice Chair Versaw commented on the roof deck and privacy issues.

Applicant responded to say that design changes could be made to satisfy commission, if needed.

Chair Mires closed the public hearing and called for a motion.

On motion by Chair Mires, seconded by Commissioner Barnett, and on the following roll-call vote, to wit:

AYES: Vice Chair Versaw, Commissioners Barnett, Chair Mires, Commissioner Marshall
NOES: None
ABSENT: Commissioners Calmenson, Matsuura
ABSTAIN: None

The foregoing Resolution No. 05-005 was adopted on this 8th day of February, 2005, to conditionally approve the application.

8. Use Permit Application #04-070, Casey Johnston, 816 Mentone Avenue (APN 060-003-001)

A request for Use Permit to expand a non-conforming residence in the R-1 Zone by adding 1,967 square feet of living space. Planner I Julie Hawkins gave the staff report.

Planner I Hawkins corrected the resolution – should read 1967sf instead of 587. Engineering now requires water retention basin, and underground utilities because of power pole.

Applicant Johnston mentioned that there wouldn't be sprinklers added because application was submitted prior to cutoff. Applicant also noted that utilities are already underground.

Chair Mires closed the public hearing and called for a motion.

On motion by Vice Chair Versaw, seconded by Commissioner Barnett, and on the following roll-call vote, to wit:

AYES: Vice Chair Versaw, Commissioners Barnett, Chair Mires, Commissioner Marshall
NOES: None
ABSENT: Commissioners Calmenson, Matsuura
ABSTAIN: None

The foregoing Resolution No. 05-009 was adopted on this 8th day of February, 2005, to approve the application.

COMMISSIONERS' COMMENTS:

Report from Council Representatives:

Vice Chair Versaw reported on the Code Enforcement Program. There is a 24-hour response time when notified. Town Hall meeting is to be held on February 15, 2005. John Dunn has been hired as a facilitator for debate on consultant use for Community Development projects. A 4-way stop has been approved for installation on 9th and Ramona. Also, red curbs and a warrant for a stoplight on Oakpark have been approved. An installation of a radar sign was done to slow traffic, with plans for sidewalk improvement upcoming.

Director Raper reminded Commission of the upcoming Ramona Specific Plan Special Planning Commission meeting, to be held at 6:30 on February 17, 2005. He also requested zoning text amendment to clarify requirements for underground utilities and Planned Development overlay district, noting that the Mayor desires flexibility to further advance division process of General Plan. Director Raper also commented on the Overlay Coastal Zone, and the Planned Development over Grand Avenue overlay. Projects must have Architectural Approval, design with layout. Also deviate without variance process allows for more flexibility of design.

Other Commissioners' Comments:

9. Planning Commissioner's Handbook

Assignment for next Regular Planning Commission Meeting: Chapter 4-The Planning Framework.

PUBLIC COMMENTS: None.

ASSIGNMENT TO ATTEND CITY COUNCIL MEETING(S): Vice Chair Versaw attended the City Council meeting(s) for the month of February, 2005.

ADJOURNMENT at 9:05 p.m.

/s/ CHAIR MIRES

/s/ SECRETARY TO THE PLANNING COMMISSION
JOYCE WILLIAMS, ADMINISTRATIVE SECRETARY
COMMUNITY DEVELOPMENT