



**MINUTES  
PLANNING COMMISSION  
CITY HALL COUNCIL CHAMBERS  
154 SOUTH EIGHTH STREET  
GROVER BEACH, CALIFORNIA  
TUESDAY, MAY 10, 2005  
6:30 P.M.**

**CALL TO ORDER:** 6:33 p.m.

**FLAG SALUTE:** Vice Chair Versaw

**ROLL CALL:** Commissioners present: Barnett, Calmenson, Marshall, Versaw, and Chair Mires.

**PUBLIC COMMENTS:** Prior to hearing public comments, the Commission announced that the issue regarding the R-2 Density Calculation was to be presented to the City Council on May 16, 2005. Public comments followed.

Mike Amenta, 1755 Ocean St, Oceano, submitted an application in a R-2 area. He said he was initially told the density allowed for 4 units. After re-examination, he was told the area would accommodate only 3 units. He stated he felt the calculations now being used are suitable for R-1 zones, and don't promote growth for the city.

John Frick, 656 Santa Rosa Ave, is an attorney representing Mr. Amenta and Mr. Bischoff, stated the more specific regulations govern the General Plan. He felt if the City of Grover Beach changes the interpretation, it essentially re-zones the area to R-1. He commented the interpretation impacts inner lots that are unable to use street area in calculated measurements, while corner lots that have a less buildable area are allowed more units because of street area.

Tom Gerard, 1568 Cabrillo Court, is a local realtor. He remarked that under the new adaptation, existing PUD owners become non-conforming. His concern was related to insurance, lender, and rebuild issues.

Thomas Young, 674 Trouville, expressed his support for those who had spoken.

Kathy Springford, 670 Camino Contento, Arroyo Grande, owns two homes in the R-2 zone, and asked Commission to consider the loss of property tax and developer fees.

Bill Miller, 578 N. 16th St., bought his property with the intent to split it upon retirement. He felt he should be given the same opportunities as the developers to expand.

Janie Worldrosko, 471 Longbranch, mentioned that due to the high cost for housing, her children won't be able to afford the property. She said she desires to build on her R-2 zoned property for her children.

Patrick Morrissey, 323 Newport, stated that it is neither fair nor just for the City to change the interpretation now. He came to the Community Development Department earlier and submitted drawings. He said the planner told him he was in compliance for a 7500 square foot lot. He was unaware the rules were changing, and suggested the city list possible mediation measures to prevent a loss of property values. He said he would be attending the City Council meeting scheduled for May 16.

Linda Morrissey, the wife of Patrick Morrissey, said the real impact would be felt by the children. She requested the Commission to consider the future and possible hardship felt by people needing special resources, and asked who this new interpretation will benefit.

Michele Lingdon, 575 Seabright, stated her parents have lived at the address for over 30 years. They have two lots with one house in back, and want to build a second house in front. She feels it is unfair to decrease the property value, and wants to keep the zoning.

Greg Witford, 969 Printz Rd, owns the property at 639 Longbranch, which is zoned R-3. He stated his concern was towards the previous determinations made by past Planning Commissioners and how it will affect the future decisions. Instead of downsizing zoning to cause financial loss, the City should be looking for ways to increase affordability.

Ruth Pauley, 641 Seabright, stated her property was originally zoned in R-1 and through time was changed to R-2. She said she felt it was a monetary issue, and not fair to deny development. She supported the group.

Gary Peck, who is a pastor in the area chapel on Saratoga, appealed to the Commission the Golden Rule of being fair. He commented that downsizing puts a heavy burden on people in this zone.

Wes Mallow, 2773 S. View, Arroyo Grande, has owned three lots in Grover Beach for more than 30 years. He stated housing prices have gone up, and desires owners to have the same opportunities as builders. He voiced his support to the group.

Gabe Ramirez, San Luis Obispo, has a house in escrow in the R-3 zone. His concern is the ability to invest and manage risk based on information provided, and desires consistent information for making investment decisions.

Julie, Arroyo Grande, stated her parents are owners of rental property in Grover Beach. She said they received a letter regarding "downsizing" of R-2 lots. She said the property was purchased under the assumption of increased value through time. Her desire is to build home on existing property. She felt the property should remain zoned R-2.

Paul Bischoff, 1504 Cabrillo Court, stated that density is met when looking at larger blocks. He suggested the worst case scenario at 14th Street to 16th Street equals 8.78 units per gross acre. 149 Brighton equals 3900 square feet, which qualifies for two units.

Mike Amenta requested a presentation to Planning Commission to show examples of inconsistencies in density formulation.

**PRESENTATIONS** None.

**STAFF COMMENTS:** None.

**CORRESPONDENCE:** None.

**CONSENT AGENDA:**

1. **Approval of minutes of Regular Planning Commission meetings of March 8 and April 12, 2005, and of Special Planning Commission meeting of March 23 , 2005 (Recommendation: Staff recommends the Planning Commission approve the minutes as submitted.)** Minutes were approved by consensus vote.

**PUBLIC HEARING ITEMS:**

2. **CONTINUED PUBLIC HEARING – Use Permit, Architectural Approval, and Environmental Determination Application No. 02-025, Thor Ourston, 978 Griffin Street (APN 060-544-008)**

A request to adopt a Mitigated Negative Declaration and grant a Use Permit and Architectural Approval to construct a 16,525 square foot industrial building for metal fabrication and warehousing, and creating a cul-de-sac at the end of Huber Street with an emergency access easement in the Light Manufacturing (L-M) Zone. Planner I Julie Hawkins gave the staff report. She stated the hearing was in continuance from the April 12 meeting to allow involved property owners to come to an agreement for dedicating the street right of way. She recommended similar conditions as those delineated in Mr. Ross' approved application.

Vice Chair Versaw commented that the situation appeared to be "placing the cart before the horse", and question what would happen if the City Council doesn't approved the General Plan Amendment.

Director Raper responded that the General Plan Amendment must be approved by City Council, or the project would have to be modified. He felt this to be an efficient method to move projects forward; easier to look at the entire project rather than piecemeal.

Applicant Thor Ourston stated he had issues with the offsite development of roads and right of way. He stated conditions PW9 and PW10 make him responsible for the whole plan, instead of development of his lot exclusively. He expressed disagreement with requiring neighboring property owner to dedicate. He stated he had spoken with Mr. Woloz at length, who agreed to go along to move the project, but wouldn't promise development. Mr. Ourston commented that the cul-de-sac

development sounds great, but is unrealistic. He requested approval to build without an "interlocking" condition. He felt the approval for dedication from Mr. Woloz was not needed for the build out, siting a 30' roadway won't bottleneck. He estimated costs for utility under grounding to be \$1 million, and was quoted \$448,000 for building and site improvements. He submitted a proposed map for staff to replace a map erroneously placed in his staff report.

Commissioner Marshall addressed Item 9, EPCD 1, saying it should state "erosion control" instead of "lined with straw bales". He also added he is a proponent of a cul-de-sac, stating it is required for traffic flow.

Vice Chair Versaw suggested that the cul-de-sac should be reflective of General Plan Amendment changes, and conditioned into PW9 and PW10.

Commissioner Calmenson agreed, mentioning the need to address fire safety.

Chair Mires agreed that costs should be reimbursed to the developer that put in the improvements.

Planner I Hawkins stated there was a verbal agreement to dedicate, but there were not signed documents.

Vice Chair Versaw asked for conditions PW9 and PW to be included with this project as insurance.

Mr. Ourston stated there is a 20' right-of-way between two projects, and suggested moving the right-of-way 25' to the left with a change of criteria established a temporary easement until development occurs.

Commissioner Marshall questioned the offset cul-de-sac with a 55' radius.

Mr. Ourston requested the project be conditioned to work with the city to change water retention and ponding issues.

Director Raper pointed out there would be a potential design issue.

Planner I Hawkins added the offset would also change Mr. Ross' design.

Mr. Calmenson questioned if continuance of the application is acceptable.

Director Raper suggested continuance if Mr. Ross agrees to the design change, and if the applicant is willing to pay and extend application review.

Chair Mires closed public hearing and called for a two-month continuance, to be presented at the Planning Commission meeting scheduled for July 12, 2005.

There was a brief break taken from 7:48 to 7:57 p.m.

**3. Use Permit and Architectural Approval Application No. 04-007, Steve and Kitty Otto, 1182 Atlantic City Avenue (APN 060-111-101)**

Commissioner Calmenson stepped down from the Commission at this point, siting a conflict of interest because he had done work for the applicant.

A request for a Use Permit and Architectural Approval to expand a structure with a non-conforming setback at 1182 Atlantic City Avenue by constructing a garage and second story second dwelling unit on a lot in the Single Family Residential (R-1) Zone. Planner III Ray Hetherington gave the staff report.

Director Raper clarified the Architectural Approval is for the two-story structure, not the secondary unit.

Vice Chair Versaw requested information on parking, the stairway, and the retention basin.

Planner III Hetherington stated the underground retention pond is located on the south side.

Vice Chair Versaw stated CDD2 is missing, and PW10 should be 12th Street. She also asked why there is no handicapped access on the new curb, gutter, and sidewalk for the corner.

Director Raper responded if ADA is not addressed in the original plan, conditions would be added to require handicapped access.

Chair Mires inquired about tandem parking offsetting the setback.

Planner III Hetherington replied there is a 25% encroachment into the side setback.

Applicant Otto remarked this dream of 25 years was to retire, move back to Grover Beach, and remodel the front house with parking in front for a new house.

Ron Perkins, of Cobalt Construction, is the applicant's developer. He proposed to recalculate the surface retention basin to be deeper and move south. Parking was designed for privacy of the new unit. The carport under deck would be beneficial to tenant. There would be improvements with curb, gutter, sidewalk and landscape.

Commissioner Marshall inquired about access to tandem parking, and asked if house could be turned to face the flag lot and take access off the street. He stated his concern for the driveway approach.

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

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

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

The foregoing Resolution No. 05-044 was adopted as conditioned on the 10th day of May, 2005, approving the project.

**4. Variance Application No. 05-010, Tommi Lovern, 1819 Alma Court (APN 060-581-012)**

A request for a Variance to allow a deck to encroach into the required rear yard setback at 1819 Alma Court. Planner I Julie Hawkins gave the staff report.

Vice Chair Versaw reviewed the requirements to consider for variance, and commented that there were no privacy issues, and that the request addressed the second requirement of special circumstances regarding the location, size and shape of the lot.

Commissioner Marshall commented granting the variance would not be detrimental to the neighboring property.

Commissioner Calmenson asked where the measurement was taken from on the property, and if it was the natural grade.

Planner I Hawkins responded it was from the natural grade. She added the Building Official said the design needed a permit.

Chair Mires asked if the request needed to meet all the requirements to be approved. Attorney Larry Donaldson stated that the application gives staff some discretion. It is a unique parcel, and based on that information, a variance could be allowed; however, the intent of the ordinance is for compliance of all three requirements.

Commissioner Marshall added if the project had been pre-approved or done correctly, it would have been approved.

Director Raper said requests for variance can always be made, but it is difficult to meet all requirements in order to be approved.

Applicant Tommi Lovern stated he had received a citation in the mail to his surprise, instead of a reward for beautification. He referred to the overhead presentation, showing the original deck that was constructed in 1984 on level land. He added beautification to the drainage area, and extended 60" on fence on the wall. The new deck is now 44" high, and requested a variance due to special circumstances. He commented variance permits should be reviewed on a case by case basis.

Planner I Hawkins stated that there was also an issue regarding setback.

Director Raper explained the old deck was less than 30", and less than 5' in setback above 30". The balance for the new deck would require a building permit. Encroachment allotment is 3 feet. The deck is within 50% of the rear yard setback. He added the deck doesn't preclude an ordinance amendment by Planning Commission to fit circumstances, and recommended denial of variance. Mr. Lovern inquired as to whose responsibility the culvert was, and why it was on his property.

Ralph Perez, 1871 Atlantic City, commented he was happy about the façade versus a dog run, until the deck was extended to the fence line. He also said the extension changed the characteristic of the rebuild, and should require a permit. Mr. Perez expressed a desire to keep any variance permits to a minimum.

John Read, 1375 Brighton Ave, asked Commission to consider repairs made to the culvert area, and the issue of safety.

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

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

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

The foregoing application for variance 05-010 was unanimously denied by Planning Commission on May 10, 2005.

A short recess was taken from 9:08 p.m. – 9:17 p.m.

**5. Use Permit, Architectural Approval, Tentative Tract Map, and Environmental Determination Application No.05-005, Vernon Associates, 248 N. 14th Street (APN060-581012)**

A request to adopt a Mitigated Negative Declaration and grant a Use Permit and Architectural Approval, and recommend approval to the City Council of a Tentative Tract Map to subdivide and construct a sixteen-unit condominium project with affordable housing in the Multiple Residential (R-3) Zone. Planner III Ray Hetherington gave the staff report.

Commissioner Marshall requested clarification of all incentives requested.

Director Raper stated that it from staff perspective, granting an incentive to allow parking in the setback would be beneficial to Grover Beach. Staff can not require a reduction of density, and affordable units are pre-empted by State requirements.

Commissioner Marshall voiced concern over the plan to build 3 stories.

Vice Chair Versaw commented that the discretion by the Commission is based on information provided by staff, and voiced concern about incentive giveaways. CDD 16 extends restrictions for 15 extra years to a total of 45 years. She asked what programs are available.

Director Raper replied staff had documents utilized by Arroyo Grande for Jasmine Place, which is being reviewed by the City Attorney.

Applicant Brad Vernon stated that Vernon Associates is a family-owned company with higher density projects. It is community-minded, and the architects are Leonard Grant Architects (LGA).

Lennie Grant, architect for the project, described the project as having compact, European characteristics, which are split into smaller projects with finished materials. He felt the details bring the projects to life.

Vice Chair Versaw asked if there were structural challenges to the two units that were not being demolished.

Mr. Grant responded to say there would be some demolition with the remodel.

Commissioner Marshall inquired about hatching or textured pavement on the driveway, and asked about access to a possible backyard.

Mr. Grant said the driveway would be asphalt with scored, colored concrete. He added there would be some backyard, but not substantial, as the focus was on decks.

Commissioner Marshall inquired about garbage can location.

Planner III Hetherington responded that the garbage cans would be kept in the garages, with pickup at site on one side of the driveway.

Commissioner Marshall asked about garage doors in Plans B and C, and also mailbox location. He also expressed his concern over sun blockage cause by the 3-story units.

Matt, the Civil Engineer on the project, explained the slope and building position in regards to sun exposure.

Vice Chair Versaw remarked there were six incentives for two units, and asked what income level they were.

Mr. Vernon addressed that the two units were designated as low income, and that it is difficult to establish very low income housing, but he would check into the possibilities.

Direct Raper suggested retaining one very low unit (\$130K) and adding a moderate unit (under \$300K)

Mr. Vernon remarked that he can change details and asked for criteria.

John Read, 1357 Brighton Ave, expressed his concern over parking and the difficulty in parking in front of his property. He felt since 16 units are going in, in addition to 6 units next door, he requested a parking study be done.

Planner III Hetherington responded that the project provides twelve additional guest spaces, and 2-car garages. He also added it is the prerogative of the Planning Commission for incentives to be changed.

Commissioner Calmenson asked if the fire lane is marked, and if there is an association.

Planner III Hetherington answered the fire lane requirement is conditioned, in addition to a new fire hydrant.

Commissioner Barnett expressed her support for low income units.

Vice Chair Versaw stated the good points of the project addressing low income housing, and the bad points being it is a 3-story project. She expressed a desire to see more in design in exchange for the incentives given.

Chair Mires commented that 3-story projects are inevitable, as density increases. He noted in this case that the housing is driven by parking, not the reverse, as it should be.

Commissioner Marshall inquired as to similar projects in the area, and recommended developers work with staff to design lower buildings.

Mr. Vernon said he had similar projects in Guadalupe, and asked if the quantity of units were an issue.

Chair Mires expressed a desire for applicant to redesign the backyard areas.

Chair Mires closed the public hearing and called for a one-month continuance, to be presented at the June 14, 2005 Planning Commission meeting.

**6. Use Permit, Architectural Approval, Tentative Tract Map, and Environmental Determination Application No.05-005, Rick Haynes, 254 and 266 N. 14th Street (APN060-176-001)**

A request to adopt a Mitigated Negative Declaration and grant a Use Permit and Architectural Approval, and recommend approval to the City Council of a Tentative Tract Map to subdivide and construct a six-unit Planned Unit Development in the Multiple Residential (R-3) Zone. Planner III Ray Hetherington gave the staff report.

Commissioner Calmenson inquired about color boards.

Applicant Rick Haynes, stated he tried to take into account the existing neighborhood. The setback exceeds requirements and still provides high quality in design.

Commissioner Marshall gave approval on the differences in design. He inquired about where the pavement ends in Parcels 3 and 4, and suggested pavers to break up the monotony of the design.

Mr. Haynes replied the suggestion was an excellent idea.

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

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

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

The foregoing Resolution No. 05-050 was adopted as conditioned on the 10th day of May, 2005, approving the project.

**REGULAR BUSINESS** None.

**COMMISSIONERS' COMMENTS:**

**Report from Council Representatives:**

Chair Mires attended the May 2, 2005 City Council meeting. Discussion topics included implementation of a citywide topographical digital mapping program, the continuance of the Ramona Specific Plan to June 6, 2005 City Council meeting, and the General Plan Land Use Element incorporating the visioning elements.

**Other Commissioners' Comments**

There was discussion regarding appropriateness of requests by applicants for meeting individual commissioners to discuss projects. Attorney Donaldson advised that sequential meetings are in violation of the Brown Act.

Vice Chair Versaw remarked that large agendas create potential problems, and suggested the option of holding two meetings. Director Raper recommended an official resolution regarding time constraints be submitted to the Planning Commission.

**7. Planning Commissioner's Handbook**

Section 4-The Planning Framework. Review is to be continued at June 14 meeting.

**PUBLIC COMMENTS:** None.

**ASSIGNMENT TO ATTEND CITY COUNCIL MEETING(S):**

Commissioner Calmenson is scheduled to attend the City Council meetings for the month of June.

**ADJOURNMENT:** 11:01 p.m.

/s/ CHAIR MIRES

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