



**MINUTES
PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
TUESDAY, SEPTEMBER 11, 2007
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 PM

FLAG SALUTE: Commissioner Coleman

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

INTRODUCTIONS: New Planning Commissioner Mike Nielsen and Planning Manager Diana Gould-Wells

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.*

Liz Doukas, Grover Beach resident, compiled some photographs of newer residences in Grover Beach. She indicated that around most of the newer construction, there are also homes for sale, which is a concern. She thought the new projects were approved because they would be a benefit to the community and be aesthetically pleasing. She pointed out the Sullivan project, which she indicated had been argued against because it was too tall for the area. In the Visioning workshops, it was discussed that taller projects would be allowed only along the Grand Avenue corridor. She stated that there is also no undergrounding of utilities. She stated that Santa Barbara went back and changed their criteria because they realized that higher density, taller structures were a detriment to their community. She expressed concern about notification procedures for projects coming before the Planning Commission. She stated that we have so many of the PUD and condominium developments and she feels there should be a moratorium on those kinds of projects so that can be evaluated. She also expressed concern about water shortages and the impact these developments have on that. She stated that the City needs to slow down and be more particular about the types and designs of future projects.

John Wysong, Grover Beach resident, expressed concern about vacancies in his neighborhood, and also concern about parking. He expressed concern about taller buildings, high density and water shortages.

REGULAR BUSINESS:

- 1) **Resolution Recognizing the Outstanding Planning Commission Service of Peter Keith.**

PUBLIC HEARING ITEMS:

**2) Development Permit Application No. 07-022
Applicant – Dan Guthrie**

This Application is a request for approval of Site and Architectural Plans for the construction of a two-story single family residence with a roof deck. The subject property is located at 907 Saratoga Avenue (Assessor Parcel No. 060-103-007) and is zoned Single Family Residential (R-1). The project planner is Lorie Ingan.

Commissioner Marshall recused himself from this item, as he lives within 300 feet of the subject property. Lori Ingan presented the staff report. She stated that architectural approval was required because the project site is located in the R-1 zoning district north of Grand Avenue and exceeds 15 feet in height. There was an error in the staff report regarding the square footage of the proposed home. The staff report indicates that it is a 2,601 sq. ft. residence; however, the proposal is for a new 3,801 sq. ft. residence with a 1,023 sq. ft. garage and 460 sq. ft. roof deck. The development is under the allowable building coverage at 33 percent. To accommodate this development, the existing 650 sq. ft. residence, two one-car garages and a small shed are planned for demolition. The structure is proposed at an average height of 24 ft. 9 in. above the natural grade. A view impact analysis was completed. Staff is of the opinion that while some views may be affected, the proposed structure will not needlessly or substantially impact views from adjacent properties. Additionally, the surrounding neighborhood is developed with two-story structures, and as of this date, staff has not received any comments from surrounding property owners.

Four design matters are proposed to be added to the conditions. CDD-8 will read “A final landscape and irrigation plan for the entire site shall be submitted and approved by the Community Development Director or his designee prior to issuance of any building permits. Said plans to be consistent with the City’s adopted landscape standards for water conservation. The plan must contain a requirement that all specified plant material be consistent with nursery standards. The plan shall include all planting material proposed or required in the adjacent public areas, including street trees. Landscaping shall be installed in accordance with the approved landscaping plan prior to the final building inspection.” CDD-9: “The east elevation shall have a belly band.” CDD-10: “A false window or other architectural design element north of the garage access door will be added to the design.” CDD-11: “The north elevation shall have a false window or other architectural design element above the double car roll up door.”

Staff recommends that the Planning Commission approve the project, and is available to answer questions.

Commissioner Coleman asked about notification procedures for projects. Ms. Ingan stated that residents within 300 feet of the project were sent notices informing them of the public hearing. Commissioner Coleman asked for clarification regarding whether the proposed garage was 2- or 3-car. Ms. Ingan stated that the project proposes a 3-car garage.

Commissioner Long asked if the building height was calculated to the top of the roof, or if it included the roof deck. Planner Janet Reese stated that it is calculated to the top of the roof ridge or the top of the roof deck railing, whichever is higher. In this case, the railing is taller.

Chair Peterson opened the public hearing.

Gregory Soto, project architect, spoke representing the project applicant. He stated that he agreed with the conditions, including the additions that were discussed in the staff report presentation.

Chair Peterson closed the public hearing.

Commissioner Snow made the motion to approve the project according to staff's recommendation, including the amendments that were presented. Commissioner Long seconded the motion. Chair Peterson stated that she had had a few concerns but was pleased that staff had addressed the concerns with the addition of the new conditions.

The motion was passed on a vote of 6-0-0-0, with Commissioner Marshall recused from the item.

**3) Development Permit Application No. 07-009
Applicant – Michael and Crystal Sabatino**

This Application is a request for approval of Site and Architectural Plans, Use Permit, Tentative Parcel Map, and a Coastal Development Permit for construction of a four (4) unit Planned Unit Development. The subject property is located at 247 & 263 Newport Avenue (Assessor Parcel No. 060-083-002 & 006) and is zoned Coastal Residential (C-R-2). The project planner is Janet Reese.

Planner Janet Reese presented the staff report. She stated that the two existing residences were built prior to the City's incorporation and will be demolished to allow for the proposed development. The surrounding area has single-family residences and PUDs.

The existing overhead utility lines along the rear of the property will need to be undergrounded, or an in-lieu fee paid, pursuant to the City's undergrounding regulations. The development proposes the creation of four lots with a single unit on each. The front units, designated as Units 1 and 2 have their own separate driveways, and Units 3 and 4 are served by a common driveway that will also have utilities and the drainage system underneath for the entire development. The units each have three bedrooms, and the rear units have an office and basement. All units have a roof deck with a spiral staircase and a living room deck for access. Although not required by the City's regulations, the roof decks meet the requirements set forth in the R-1 zoning district, which requires a minimum setback of three feet from the floor below.

The maximum building height in this zoning district is 25 feet from average natural grade; the front units are proposed at 23 feet 2 inches, and the rear units are proposed at 25 feet. Onsite drainage is proposed as a subterranean system, which the City Engineer has approved.

A Use Permit is required for any proposed residential common area development. The project meets all requirements for residential common area developments, including the maximum building lot coverage, private open space and required parking.

Approval of a tentative parcel map is required to allow for the reconfiguration of the two existing parcels into four parcels. The tentative parcel map also includes an access, utility, and drainage easement over the common driveway.

There are three conditions that staff is proposing to add to the Tentative Parcel Map resolution. CDD-10 All conditions contained herein apply to the other resolutions for this project (Resolution Nos. 07-061, 07-062, and 07-064). CDD-11. A shared maintenance agreement, including but not limited to a homeowners or property owners association for driveway, on-site water retention, and any common areas, shall be established benefiting all lots, and causing said properties to share in the cost of maintenance and repair of all facilities. CDD-12. Conditions, Covenants and Restrictions and/or organizational documents shall be presented to the City with the request to review and process the final map, to allow the City to review the documents for conformance

with the conditions of approval prior to map recordation.

The final component, the Coastal Development Permit, is required for the proposed development since the proposed project is within the Local Coastal Zone, outside of the appeals jurisdiction. The Coastal Commission has been notified of the proposed project and no comments have been received to date.

Staff is recommending approval of the project, with the suggested amendments.

Planner Reese addressed some questions that had been presented prior to the meeting. The site plan shows some landscaping in the public right of way, where a sidewalk is proposed. This landscaping was not included in the minimum landscaping amounts, as it is not part of the parcel. The civil pages show the sidewalks and driveways correctly, which Public Works has approved. The tentative parcel map shows the water lines from the meter boxes crossing the driveways of the front units. They will actually run in the public right of way and up the common driveway as depicted. The utility configuration will have to be approved by the City Engineer prior to issuance of a building permit.

Director Hansen stated that there will be a change to the resolution approving the site and architectural plans, attachment C. Condition U-2, the first two sentences will remain the same, but the subsequent sentences will be removed.

Commissioner Marshall asked for clarification of Condition U-2. He stated that it appears that the existing overhead utility lines are in the backyard. City Attorney Koczanowicz stated that the change suggested simply removes language that is not part of the condition, but is just informative language for the applicant. There is an in-lieu fee that can be utilized, but it is not a condition of the project.

Commissioner Marshall asked if there is an existing easement, and if they are required to underground, will an easement be required on the map. Director Hansen stated that there is an air maintenance easement that exists currently. He stated that there would be an easement required at the time undergrounding was done. Commissioner Marshall asked if that would be shown on the tentative map. Director Hansen indicated that it would be shown on the final map.

Commissioner Snow expressed concern about the back-out room for the parking spaces for lots 3 and 4. Planner Reese stated that the landing for the entry way is clear below, so there is room to turn around under that area.

Commissioner Nielsen asked if the proposed sidewalk was ADA compliant. Planner Reese stated that it had been approved by Public Works, and it is correctly shown on the civil sheets.

Chair Peterson asked about making the architecture a little bit more interesting. Planner Reese stated that the elevations shown are not complete and don't show some of the detailing. The top two levels of elevations are not complete, but the bottom two are.

Chair Peterson opened the public hearing.

Penny Sandman, project designer, spoke representing the applicant. She made a presentation of the project showing examples of the style of the design. She provided a full-sized sheet showing more details of the elevations. There was a color board presented. They are proposing the use of grass-pave on the driveways and the guest parking spots.

They wanted to take advantage of the existing hillside topography, rather than grading the site flat. They are attempting to differentiate the front units from the back. They will also use different front door styles and tiles. Working with the existing topography required that the front units have front-loading garages. The back units share a common driveway. The project has added emphasis on single-family residence features. The rear units have a basement with attached outdoor living space.

Regarding the conditions of approval, she indicated that they have a concern with CDD-1. They asked if the recording of the tentative map could occur prior to occupancy, rather than prior to building permit issuance. There is work to be done before the map can be recorded, but the condition requires that the map be recorded before any building permits were issued. She stated that it is her understanding that it has been current practice to allow recording to take place prior to occupancy.

Chair Peterson asked staff about the request. Director Hansen stated that it can be done, but staff has made the recommendation for a specific purpose. He stated that in the past, there have been situations where a building permit was issued without the recorded map, and the project was completed, but couldn't be sold separately because the maps had not been recorded yet. By requiring the recordation to occur prior to building permit, it eliminates that issue.

Commissioner Marshall asked if they could have a bond to cover that recordation. Director Hansen stated that they looked at a number of options and each of them has created difficulties. It ends up with two units on one lot, and they want to sell them. Staff has found in the past that if the maps are recorded up front, these issues don't come up.

Ms. Sandman stated that there is some difficulty fulfilling some of the public works/civil engineering conditions, because they require a permit, and the permit can't be issued without having the final map done. Director Hansen stated that those permits can be bonded for, in order to get the final map recorded and issue building permits.

Ms. Sandman stated that they feel their project won't have the problems Director Hansen described since the owner will be occupying one of the units and be anxious to move in. Director Hansen stated that they can complete their plans concurrently and file for the final map.

Ms. Sandman asked what had been done in the past, and asked if this is the first time this policy is being changed. Director Hansen stated that in the past, the process has been followed as she is requesting, and in almost every instance, there have been issues to resolve. By requiring it before the building permit, everything is set in motion at the same time plans are approved. He stated that there is nothing that would prevent the property owner from selling the units, and then the map never gets recorded.

Ms. Sandman stated that there is some concern regarding the undergrounding, so would go the route of paying the in-lieu fees, which would be required at the time of building permits. And on top of that, he is potentially going to be required to bond for the Public Works improvements as well. Through this process, they feel that the fees are stacking up at the starting line. Her preference is that the condition be revised.

Chair Peterson asked Director Hansen how long they have been doing this differently. Director Hansen stated that it has been recently started, to eliminate a number of situations that occurred. There is a project coming before them where the project is completed, but the tentative map expired during the construction period and the parcel map was never recorded. Staff is not opposed to sitting down with the applicant to figure out a way to expedite it, but on the other hand, staff needs to

clearly set up procedures to be followed, and this is the clearest, most direct condition to meet that goal.

Chair Peterson asked if this was the first time, on this specific project, that this has been done. Director Hansen stated that he would have to look into that, but he stated that it is an issue that has been facing staff and the Planning Commission and the developers and the question is how to equitably resolve it so that everyone is protected and the project moves forward.

Ms. Sandman stated that it is in the owner/developers best interest to have that map recorded. There is no gain to the property owner to not have the map recorded. The goal is to get it recorded as soon as possible.

Commissioner Snow asked what the bond amounts would be. Director Hansen stated that they are usually about 10 percent of the value of the improvements.

Ms. Sandman stated that by recording the final map further along into the process, the benefit is if there are any revisions, they can be made on before the final map is recorded. It is very difficult to go back and change a final map that has been recorded.

Commissioner Marshall asked how many permits they could pull as the site exists today. Director Hansen stated that they could pull all four permits. He stated that that is the issue they are trying to resolve, because as it is, the units would not be able to be sold separately. He stated that another option could be to not allow the Certificate of Occupancy to be issued until the map is recorded. Ms. Sandman stated that that would be more reasonable. Commissioner Marshall stated that they could bond for the improvements, and record before occupancy.

Ms. Sandman stated that doing the improvements isn't a problem. That will be done in the course of the project. They would prefer to just do those, rather than bond for them.

Chair Peterson asked if it would work for the applicant to record the map prior to occupancy. Ms. Sandman stated that it would be fine. Commissioner Marshall asked if there would be a problem enforcing that. Director Hansen stated that as long as the Planning Commission makes it very clear in the resolution that that condition has been modified. Director Hansen stated that they can modify the condition to say that a certificate of occupancy issued until the final map is approved.

Commissioner Nielsen stated that they have done a good job getting those units on the site.

Commissioner Marshall stated that he is pleased with the site, and likes the grass paving. He stated that he would like to see them take it one step further on the driveway, in the middle, do something other than plain concrete. He asked if they would consider using texture or colored concrete on the longer driveway. Ms. Sandman stated that it won't just be gray concrete, but it has not been determined yet.

Chair Peterson asked if there was anyone from the public who wanted to speak on the project.

Paul Bischoff, Grover Beach resident, stated that he would prefer to see the option of recording the map before occupancy. He stated that the biggest obstacle to requiring the map to be recorded at the beginning of the process is that it could be an issue for the starting loan for construction. It is a difficult burden for the builders to overcome. He stated that past practice had been that if the building were permitted without the recording of the map, then it wouldn't be required until the end. Having two homes, on the same lot, is an accepted use.

Liz Doukas, Grover Beach resident, stated that she drove by this project site. She stated that the lots are about 4-5 feet elevated from the lots adjacent to them. She asked if they are going to be graded in the front.

Planner Reese stated that the building heights are based on the existing grade. She stated that the front units are cut into the driveway.

Ms. Doukas stated that the proposed buildings will be 4-5 feet higher than the ones next to them. She stated that they are creating and reconfiguring the lots to create a 4 unit PUD and that is problematic. If it were a single-family home with an additional smaller home in the back might be ok, instead of creating the separate lots. She also expressed concern about water usage, garbage service, how many cans there will be at the curb, turning radius, and concern about changes to projects after the fact. She asked if there would be an HOA involved. Planner Reese stated that there will be some sort of organization to deal with the common area.

Paul Brikart, property owner in Grover Beach, one of which is adjacent to the proposed project, complimented the applicants on the design of the project.

Chair Peterson closed the public hearing.

Commissioner Long made a motion to accept staff's recommendations with the change to CDD-1, to read "Prior to the issuance of a Certificate of Occupancy for any of the residential units, a final map shall be recorded..." The remainder of the condition remains the same. Commissioner Marshall seconded the motion.

Commissioner Marshall, responding to Ms. Doukas earlier comment, stated that the front residences seem to be at or near the same height as the existing ones, and the back ones will be higher. Regarding water usage, he stated that staff would have evaluated that. Director Hansen stated that when the General Plan was approved, the property was zoned as it is currently. Based on that, they could actually achieve a greater density. Commissioner Marshall stated that the turning radius is sufficient. Regarding changes after approval, minor modifications allow small changes to be made without having to return to the Planning Commission. He stated that he thinks it is a nice project.

Commissioner Blum said that they did a great job and it will be a good addition to the neighborhood.

Chair Peterson thanked them for doing a good presentation which helped the Commission. She stated it is a good design and it will be a good improvement for the neighborhood.

The motion was passed with a vote of 7-0-0-0.

**4) Development Permit Application No. 07-019
Applicant – Bischoff Properties, Inc**

This Application is a request for approval of Site and Architectural Plans, Use Permit, Tentative Parcel Map, and a Coastal Development Permit for construction of a four (4) unit Planned Unit Development. The subject property is located at 350 N 3rd Street (Assessor Parcel No. 060-141-005 & 006) and is zoned Coastal Residential (C-R-2). The project planner is Janet Reese.

Planner Janet Reese presented the staff report. She indicated that Attachment D, Coastal Development Permit resolution, was incorrect, and provided the correct resolution. The conditions in the resolutions were the same, with the exception of the project number, applicant and site.

The site is located in an area with single family residences and planned unit developments. The existing residence was built prior to the City's incorporation, and will be demolished to allow for the proposed development. The development proposes the creation of four lots with a single unit on each. All four units are served by a common driveway that will also have the utilities and drainage system beneath it for the entire development. Each unit has four bedrooms, two-car garage, decks, roof deck and a guest parking space. Although not required by the City's regulations, the roof decks comply with the requirements set forth in the R-1 zoning district with the appropriate setbacks. On the elevation plans, there are asterisks that indicate that an architectural feature will be added in that location, but the specific one had not been decided on.

The existing overhead utility lines along the rear property will need to be undergrounded or an in lieu fee paid.

The maximum allowable height is 25 feet from average natural grade. The front units are proposed at 24 ft. 6 in., and the rear units at 25 ft.

The project meets all requirements for the residential common area developments, including maximum building lot coverage, private open space and parking.

Approval of the tentative parcel map is required to allow for the reconfiguration of the two existing parcels into four parcels.

There are two conditions that staff would like to add to the tentative parcel map, Attachment C. CDD-11, regarding a shared maintenance agreement for the driveway and onsite retention and CDD-12 indicating that CC&Rs or organizational documents need to be presented to the City with the final map review request.

The Coastal Commission has been notified of the proposed project, and to date, no comments have been received.

Staff recommends approval of the development permit application with the suggested conditions, as amended.

There had been a question about the sidewalk area between the driveway apron. On one of the sheets has a note that the sidewalk area and driveway will be installed according to City standards. Public Works was ok with the note, even though the plan didn't reflect it correctly.

Planner Reese stated that Condition U-2, Attachment A, should be amended to keep the first two sentences and remove subsequent wording.

Commissioner Nielsen stated that Sheet A1 shows the driveway is 18 ft. wide, and the tentative parcel map shows it at 16 ft. wide. Planner Reese stated that it should be 18 ft., and they will make sure that is corrected on the final map.

Chair Peterson opened the public hearing.

Paul Bischoff, applicant, stated that he was not pleased with the chimney designs, and asked if the fireplaces could have just a rear vent, with no chimney. He also requested that the condition requiring for the final map to be recorded prior to building permit issuance be changed to prior to occupancy. Director Hansen stated that Attachment C, page 2, CDD-1 would be amended to read "Prior to the issuance of a Certificate of Occupancy for any of the residential units, a final map shall be recorded..." The remainder of the condition remains the same.

Commissioner Nielsen asked if there was a reason that the stairway leading to the roof deck had open railing. Mr. Bischoff stated that there wasn't a specific reason, and if the Commission decided that they wanted enclosed staircase, they would be willing to make that change.

Commissioner Marshall stated that he is ok with getting rid of the chimneys. He expressed concern about the storm drain, since it is close to the building foundation. He was concerned that the footing might put a load on the storm drains. Mr. Bischoff stated that the footing of the adjacent building is deepened, so it will work.

Commissioner Marshall asked if there is anything that they can do to get rid of, or improve the look of the concrete, by texturing, coloring or adding grasscrete. Mr. Bischoff stated that coloring the concrete would not be an issue.

Chair Peterson asked about the architectural details that were shown as asterisks on the plans. She stated that there seemed to be some gaps where things appear to be a little blank. Mr. Bischoff stated that they will be planning some false windows and some foam detailing.

Neeta Griffith, homeowner of 360 and 368 North 3rd Street, stated that she is delighted that something is going to be done with this property. She asked when the demolition of the existing residence will occur. She asked about the timing of the project.

Mr. Bischoff stated that the demolition will happen immediately, and the four homes will be built concurrently.

Chair Peterson closed the public hearing and asked for a motion.

Commissioner Coleman made the motion to accept staff's recommendation, with the amendments made at this meeting.

Director Hansen recommended adding a condition to Attachment 1, Page 2, "All four units will be equipped with gas fireplace units without chimneys. Outside stairwells shall be stuccoed, not open railing. The elevations of all four units shall be designed as presented."

Commissioner Snow seconded the motion. Chair Peterson stated that they seem to be setting a precedent with the last two projects, regarding the timing of recordation of final maps, and she is conflicted about that. The motion was passed with a vote of 7-0-0-0.

**5) Development Permit Application No. 07-031
Applicant – Jack Hardy (West Coast Land Investments)**

This Application is a request for approval of a Tentative Parcel Map to allow the subdivision of a parcel for a Planned Unit Development. The subject property is located at 601 and 603 South 6th Street (previously 604 Trouville Avenue) (Assessor Parcel No. 060-331-019) and is zoned Duplex Residential (R-2). The project planner is Janet Reese.

Planner Janet Reese presented the staff report. She stated that on January 11, 2005, the Planning Commission approved a 2-unit Planned Unit Development. With the exception of the final map requirements, the project is complete. The units and on and off-site improvements have been completed, pursuant to the original conditions of approval. However, the tentative map expired during the completion of the project. Pursuant to Chapter 2 of Article 9 of the zoning ordinance, tentative maps expire two years from the date of approval. This means that the tentative map must

be made a final map and be recorded within two years of approval, unless an extension of time is filed and processed. Since the subject map expired in January 2007, a new tentative map was required. The newly-filed tentative map reflects the previous map and includes locations of the drainage easements as originally conditioned. Additionally, the map meets the city's requirement for a tentative map application. Staff is recommending approval of the request, subject to the previously adopted conditions of approval. However, should the Planning Commission desire to add new conditions reflecting current ordinance amendments, since the map was originally approved, they may do so. Staff is not recommending that the conditions change due to the project's current disposition and the fact that the construction has been mostly completed.

Commissioner Nielsen stated that there appeared to be a power pole located where there is a handicap ramp. Planner Reese stated that she believed Public Works has reviewed and approved the plan. The applicant will address this issue.

Chair Peterson asked what ordinance amendments have occurred since this project was originally approved. Planner Reese stated that the original conditions of approval did not have the requirement to underground the utility main lines, just the service to the units. Currently, the requirement is to underground mainlines as well. Also, it is possible that the fire sprinkler ordinance had been updated.

Chair Peterson asked why this wasn't completed in time, or the extension filed. Director Hansen stated that the applicant acquired the property during the construction phase. He was not aware of the tentative map requirement until it was too late to file for an extension.

Chair Peterson opened the public hearing and asked the applicant to come forward.

Jack Hardy, applicant, stated that there is a pole next to the ADA ramp, not in the middle of it. He stated that the scenario Director Hansen described was correct. He stated that all the work on the units is done. Both units are in escrow and this is the only thing that is holding it up.

Chair Peterson closed the public hearing.

Commissioner Blum made the motion to accept staff's recommendation. Commissioner Coleman seconded the motion, and it was carried with a vote of 7-0-0-0.

NOTE: At this point in the meeting, City Attorney asked to be excused.

WORKSHOP/DISCUSSION ITEMS:

6) P-D and H-D Overlay Zoning Ordinances

Ray Hetherington presented the staff report. He stated that it is an informal workshop to draft some future ordinance amendments. He stated that the PD overlay is something that the City has been looking into for a few years. He stated that the Planning Commission has conducted three workshops regarding this item over the last year. At that time, there was one document that covered both the Grand Avenue corridor and a residential portion. After the last workshop, staff concluded that it would be better to separate the two issues.

He explained that land use in the City is governed by the General Plan, specifically the Land Use Element, which sets land use policy and density. Then, there is the zoning ordinance that carries forth the policies of the General Plan, and puts it into more specific language, such as setbacks, height, and other things.

An overlay is a zoning designation that modifies the basic underlying designation or district. In this case, they are looking at specifically the Grand Avenue Corridor and High Density Residential areas. He stated that the density and allowed uses will not be affected by the overlay.

As part of its review and preparation of the two Overlay Districts, a number of issues have been presented by staff and reviewed and recommended for revision by the Planning Commission during its previous workshops. Following is a summation of the pertinent aspects of the two drafts to be presented as an overview and introduction to staff's presentation at the workshop session scheduled for the September 11, 2007 Planning Commission meeting.

Each of the draft Ordinances, provided in Section V establishes specific standards that must be met in the proposed Overlay districts. These include specific design standards, including architectural design requirements. These are been a focus of review during the preparation of the two documents and be a focus for review as part of the workshop.

Sections VIII in each document provide the rezoning and development project application requirements and review process.

Regarding the PD Overlay, Planner Hetherington stated that the Visioning Project referenced above states that building heights in the Grand Avenue Corridor be limited to two to three stories, except in key areas. These key areas include the intersection of 4th Street and Grand Avenue, in the new Civic Center node (8th Street), and along Grand Avenue between 16th Street and Oak Park Boulevard. These areas would allow heights up to four stories.

As part of this Overlay District, staff is recommending that the heights authorized in the underlying zones be the maximum allowed without a Use Permit. It is further recommended that the increased height currently allowed with a Use Permit and the heights stated in the Visioning Project be incorporated into the PD Overlay standards. The height would then be discretionary and would be based upon specific design standards to mitigate height, as well as requiring a public benefit of the project (tax generating business, open space, parking etc). In addition, the height increase would be dependent on the project providing specific levels of affordable housing as outlined in the draft document.

One of the issues identified in the pending revised update to the Housing Element is the current restriction on the amount of residential square footage allowed in a mixed use project. The current districts that allow mixed use limit the commercial square footage to either 50 or 40 % of the project, which limits the amount of residential use and may require commercial on the floors above the ground floor. The overlay provides for some second floor commercial within buildings in excess of two stories, unless specifically approved for all residential above the ground floor via the PD approval.

Regarding the HD Overlay, he stated that the current Multiple Family (R-3) district regulations allow outright building heights up to 40 feet and three stories. This height allowance has recently become a topic of community focus and is in the process of being considered for revision by the City Council.

It is being proposed that the allowed height in the R-3 zoning district be reduced to 25-30 feet. A discretionary increase to 40 feet may be allowed through the PD overlay based upon the architectural design of the project and the inclusion of an affordable housing component. The Planning Commission, as part of its earlier review of the PD Overlay, has recommended that the required affordable housing component be limited to low and very low income levels.

Another issue related to the R-3 zoning district is the type of residential units being proposed over the last two years. Basically, the primary purpose of the R-3 district is to provide for higher density residential housing types that encourage more affordable development. Recent development trends have resulted in larger single family style homes being proposed at densities far less than that authorized. As part of the PD overlay review, staff has suggested that a maximum size of the dwelling units be required to encourage more affordable units and higher densities. The Planning commission has recommended that a minimum density of 10 units/per acre be required for a project, and that the maximum size of any residential unit shall not exceed 1,500 square feet of living area.

Tonight, staff is asking the Commission to provide comments. After this workshop, they will draft the appropriate documents that would then come back before the Planning Commission for Public Hearing, and then, be forwarded to the City Council for adoption.

Director Hansen stated that they would like the Commission to review and ask questions and offer input.

Chair Peterson stated that she can see the results of a lot of hard work. She asked for input from the other Commission members.

Planner Hetherington pointed out the charts that show the different design standards that could be proposed in relation to these overlay districts, related to height, site coverage, and landscaping.

Commissioner Marshall asked about the setbacks for coastal commercial, noted on Page 4, and asked why it was 10 ft. and not 0-10 ft. He asked if there should be any lenience. Planner Hetherington said it may be because it is in the coastal zone, to get the buildings away from the street to maintain view corridors. He stated that they didn't make any changes to that, but they could look into that. He stated that it is difficult to get a high building coverage because of parking issues.

Commissioner Marshall stated that they had previously discussed including the Von's shopping center and another center in that area in the PD Overlay. Planner Hetherington stated that they did not include that center because the development is so new, they don't expect it to be redeveloped. Commissioner Marshall stated that since this is a long-term plan, it would be good to include those areas to make sure that the overlay district would apply in the event something happened and it was redeveloped.

Commissioner Marshall stated that the requirement that if any changes are made to projects under these districts, they have to go before both the Planning Commission and City Council seems excessive. Director Hansen stated that the Planning Commission is the architectural review committee for the City. The City Council prefers that the Planning Commission review items before they come before the Council. Planner Hetherington stated that they could be changing the whole philosophy of the project. Director Hansen stated that some changes could trigger further environmental review. Commissioner Marshall expressed concern that this did not achieve any streamlining of the processes. Director Hansen stated that it may not address streamlining, but it does provide the flexibility based on design.

Director Hansen stated that at the next workshop, they can present the overlay in a more complete form, as it would be presented at later public hearings.

Chair Peterson stated that the second bullet point needed to be clarified. It says that the overlay provides. Chair Peterson then asked if there was further comment, and concluded the workshop.

/s/
CHAIR PETERSON

/s/
SECRETARY TO THE PLANNING COMMISSION
GEORGE HANSEN, COMMUNITY DEVELOPMENT DIRECTOR

(Approved at PC Meeting: June 10, 2008)