



**MINUTES
PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
TUESDAY, DECEMBER 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 p.m.

FLAG SALUTE: Commissioner Long.

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

ABSENT: Vice Chair Snow.

INTRODUCTIONS:

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.*

CONSENT AGENDA:

The following routine items listed below are scheduled for consideration as a group. The recommendations for each item are noted in parentheses. A member of the audience may speak on any items listed on the Consent Agenda. Any Planning Commissioner or Staff may request that an item be withdrawn from the Consent Agenda to allow for full discussion.

- 1) **Approval of Minutes of Planning Commission meeting of June 12, 2007.**
(Recommendation: Staff recommends the Planning Commission approve the minutes as submitted.) Action: Approved as submitted.

REGULAR BUSINESS:

- 2) **Resolution Recognizing the Outstanding Planning Commission Service of Karen Luce.**

Action: Adopted Resolution 07-077, recognizing Commissioner Luce.

CORRESPONDENCE: One letter was received regarding Item 5 and has been distributed to the Planning Commission.

PUBLIC HEARING ITEMS:

- 3) **Development Permit Application No. 07-010 (continued from November 13, 2007)**
Applicant – 152 N 11th LLC

This Application is a request for approval of Site and Architectural Plans, Use Permit, Tentative

Parcel Map, and Variance to allow the construction of a three-story mixed use building. The zoning code allows the residential portion of the building to be less than or equal to 50% of the total square footage of the building. The variance request is to allow the residential portion of the structure to exceed the allowable 50%. The subject property is located at 152 North 11th Street (Assessor Parcel No. 060-237-007) and is zoned Central Business District (C-B-D). The project planner is Diana Gould-Wells.

Commissioner Coleman recused herself due to her owning property within 500 feet of the property.

Chair Peterson asked if the staff recommendation for the project was to continue to a date certain, due to required information not being submitted within the necessary timeframe. Planning Manager Gould-Wells indicated that that was correct.

Planning Manager Gould-Wells stated that this item had been presented at the previous Planning Commission meeting, and due to some issues that were unresolved between the applicant and staff, it was determined by the Planning Commission that the item would be continued. However, due to late submittals by the applicant, staff is requesting that the item be continued to a future date, so that staff can adequately review the material that was submitted.

Chair Peterson asked if they need to open a public hearing prior to action. City Attorney Koczanowicz stated that the public hearing was opened at the last meeting and that the Commission may, by motion, continue the item to January 8, 2008.

Chair Peterson asked if there was any discussion from the Commission. Commissioner Marshall stated that he supports staff's recommendation. Commissioner Marshall made the motion to follow staff's recommendation and continue the item to the meeting of January 8, 2008. Commissioner Blum seconded the motion, and it was carried.

4) Development Permit Application No. 07-016

Applicant – Skip Kautz

This Application is a request for approval of Mitigated Negative Declaration, Site and Architectural Plans, Use Permit, and exception for the construction and use of a fuel service station, a building containing an office and a convenience store with alcoholic beverages, and automated car wash. The exception request is to allow two driveway aprons to exceed the maximum 35-foot-wide driveway apron permitted by the City's Standards and Specifications. The subject property is located at 1284 West Grand Avenue (old Assessor Parcel Nos. 060-242-031 & 038, new Assessor Parcel No. 060-242-055) and is zoned Shopping Center District (C-S). The project planner is Diana Gould-Wells.

Diana Gould-Wells presented the staff report. The proposal is to construct a new Chevron Service Station with an automated car wash and convenience store. They are proposing a two-story convenience store with offices on the top floor. The existing structures will be demolished prior to construction of the new facility. The Planning Commission is being asked to act on three components: the Mitigated Negative Declaration and Mitigation Monitoring Plan, Site and Architectural Plans, and Use Permit.

The initial study was prepared by City staff and was noticed in accordance with CEQA. At that time, some environmental issues were identified and mitigation measures identified to reduce those issues to a level of less than significant. There is a mitigation monitoring plan that is included as an attachment to the resolution for the mitigated negative declaration. There were three areas that were of concern: aesthetics, as they related to light and glare; noise and air

quality, particularly as it relates to construction and operational impacts.

The air quality concerns were mainly related to construction activities. Construction impacts are usually short-term in duration, and they are generally mitigated by a set of conditions outlined by the Air Pollution Control District (APCD). These are provided as conditions in the Mitigated Negative Declaration and as part of the Mitigation Monitoring Plan. The operational impacts really relate to the need to obtain a permit to operate gasoline dispensing facilities through the APCD. These are also included as conditions and appropriate mitigation measures.

A detailed description of the project site and architectural plans will be presented by the project architect. The staff report provides a detailed analysis of the site layout, circulation, landscaping, drainage and signage.

Planner Gould stated that there are areas of concern with circulation, drainage and signage. There are conditions related to these concerns. Regarding signage, the City of Grover Beach has a Sign Ordinance with explicit requirements as to what is allowed and to what extent permits are required. The applicant is proposing eleven signs, not all of which are allowed in the Sign Ordinance.

There are four existing driveway aprons that access the property, two of which are on Grand Avenue and two on 13th Street. The proposal is to remove two of the aprons, one on Grand Avenue and one on 13th Street. They will be replaced with standard curb, gutters and sidewalk improvements and landscaping. Elimination of the two driveways serves two purposes: provides for safer vehicle ingress and egress and delivery of gasoline without causing traffic issues.

Currently, the 13th Street driveway apron is proposed to remain at 56.5 feet. 26.5 feet would serve the project to the south. There are changes to the conditions to provide for separate access points for the property to the south of the parcel, and one driveway that will access the Chevron property. This driveway is proposed to be expanded so that it will exceed the width of 35 feet that is currently allowed in the City Standards. This is for safe ingress and egress.

In addition, the applicant is proposing changes to the driveway aprons on Grand Avenue. The new driveway apron is proposed to be 84 feet in width, located at the westerly end of the project site. This would exceed the standard of 35 feet, also for safety reasons. In addition, there is an existing bus stop that would be relocated to the mid-side of the Grand Avenue property frontage, closer to 13th Street. That is a condition of for the site and architectural plan approval.

She stated that the applicant has spent a lot of time working with the City Engineering to address issues related to drainage, which are addressed in the conditions of approval. The City Engineer is available to answer questions related to the drainage issues.

She stated that signs for new construction or major remodeling are required to go through the architectural review process. The applicant is proposing eleven different signs, which are part of the plans, show where all of the signs are going to go. The staff report presented a detailed analysis of each of the signs and which ones would be approved in accordance with the sign ordinance, and which staff recommends not being approved. There are several signs that are exempt.

Sign #1 requires a Use Permit because it exceeds the dimensions and height that could be approved administratively. Signs 7 and 10 can be approved by the Community Development Director, because they fall below the dimensions that require Planning Commission approval.

She stated that since they are part of the sign plan, staff recommends that the Planning Commission look at all of the signs in their entirety.

There are several proposed signs which are not allowed under the sign ordinance. One way to address that would be to require the applicant to comply with the sign ordinance or request a variance. In the conditions of approval for the Use Permit and Site and Architectural Plans there are conditions that require that the applicant comply with either the sign ordinance or be granted a variance.

There are also directional signs proposed that are exempt, as long as they fall below the 5 sq. ft. in area limit. There is an additional sign, identified as a banner, which will be addressed by the applicants.

She stated that gas stations and car washes both require a use permit, and a permit is also required because alcohol sales are proposed at the convenience store. Staff believes that the findings can be made to grant the Use Permit for this project. Staff recommends approval of the resolutions related to this project.

She stated that there are several revisions requested for the resolutions, and those have been provided to the Commission. In addition to those changes, she stated that it appears that the dimensions of the car wash may not be sufficient to accommodate larger vehicles. Staff suggests that onsite vehicle circulation, as it relates to the U-drive through the car wash, and any vehicle turning dimensions meet Ramsey-Sleeper Architectural Graphic Standards, which are the recommendation of the City Engineer, or an acceptable alternative as agreed to by the City Engineer and Community Development Director. She stated that there is a condition that needs to be added to the Use Permit that addresses the need for the applicant to offer dedication of pedestrian access easements to address ADA requirement. This would need to be done prior to Certificate of Occupancy.

Director Hansen stated that the revised resolutions that the Commission received have been reviewed and agreed to by the applicants.

Commissioner Long asked if the drainage system included an oil separator. City Engineer Jim Garing stated that the project plans as presented include a 300 gallon silt and debris separator which has dual compartments, which will hold 150-200 gallons of petroleum before it would overflow into the drainage system. The Condition that Commissioner Long asked about includes an additional separator beyond that, which would be intended to absorb small amounts of gasoline or oil. A small spill would be absorbed by the system in PW-CE 6, and for something larger would be contained in the silt and debris separator.

Chair Peterson invited the applicants to come address the Commission.

Mark Rodriguez, project architect, spoke representing the applicant. He stated that the basic program for the project is a Chevron-mandated program, and as part of that process, they have to agree to branding requirements, including site plan and architectural requirements, as well as franchise requirements.

The Franchise requires exterior paint and signage treatments that are not normal to a standard Chevron gas station. He described the differences in the proposed site design, traffic circulation and lighting. The traffic circulation was designed to reduce conflict between the various uses on the site. He described the parking and walking paths, including ADA accessible sidewalks, as well as the locations of the proposed and existing landscaping. He described a wall that is

intended to mitigate noise issues, that will also have some decorative art.

Related to light and glare, he stated that the project will emit less light to the southward properties than the existing service station. The newer lighting on the proposed canopies is directed at the dispensers to light only the area that is used by the people fuelling. There is limited general lighting in the canopy that casts a narrower beam. He stated that there will be lights on the back of the building, but that they are directed toward the ground to prevent light splashing onto other properties.

Mr. Rodriguez described the drainage plan and said that he had worked with staff to address the issues.

Regarding the sign plan, Mr. Rodriguez stated that they will return to the Planning Commission to request a variance for the car wash sign. Regarding the banner sign, there is a 14 foot, 18 inch high banner sign that is a changeable copy sign. On the fuelling islands, surrounding the canopy columns, there is a changeable copy sign. On top of the trash valet, there is a 9x18 inch changeable copy sign. He stated that if those are not acceptable, it would be fine, but the Grover Beach sign ordinance doesn't mention it. He stated that because they have one application, and one piece of property, staff cannot recommend approval of more than one building face sign, according to the sign ordinance. He stated that there are three separate uses, and not being allowed to have a sign on the canopy would be a detriment to Chevron approving the project.

Mr. Rodriguez described some of the plant material that they propose for the landscaping of the project, including palm trees. He also discussed placement of the underground tank. He described some of the alternative designs for the underground drainage and underground tanks.

He then described colors, materials and design elements of the different elements of project. He feels that they have presented a good design. He then discussed the ADA sidewalk requirements as they relate to the drive approach.

Commissioner Nielsen asked if the PG&E transformers would be above ground or below. Mr. Rodriguez indicated that PG&E would decide that location.

Commissioner Marshall expressed concern about the drainage issue, and would like to see a strip drain to capture landscaping runoff. Mr. Rodriguez stated that that is something they have in mind, and there are also swales at the drive cuts to catch any runoff. Commissioner Marshall asked them to consider getting rid of some of the curbs by the landscaping to encourage water going into the landscaping.

Commissioner Marshall asked if they should discuss the issues related to signage.

City Attorney Koczanowicz stated that the resolutions that are presented provide for the signs that would be permitted under the code. Any additional signs and variances would have to be discussed at a separate hearing.

Commissioner Long asked about the air pump location, and if there was just the one air pump. Mr. Rodriguez stated that there will be dispensers at each pump that will be supplied from a pump located in the trash/equipment enclosure area and will be sound protected.

Chair Peterson asked about the economic benefits of the remodeled station. Skip Kautz, applicant, stated that sales tax should triple. Chair Peterson asked how relevant the signs are to the project. Mr. Kautz stated that some of the signs that will be discussed at a future meeting are required by Chevron and that they encourage sales of additional items.

Chair Peterson asked if there was anyone present that wished to speak about the project.

Gary Edmunds, Grover Beach resident, stated that he was happy with this project, and likes the style.

Chair Peterson closed the public hearing.

Commissioner Long made the motion to adopt staff's recommendation, regarding 07-073, 07-074 and 07-075, as amended. Commissioner Blum seconded the motion, and it was carried with a vote of 6-0-1-0, with Vice Chair Snow absent.

5) Development Permit Application No. 07-036

Applicant – Dorothy Jess and Harry Brown, Property Owners

This Application is a request for approval of Site and Architectural Plans and Coastal Development Permit for the construction of a two-story single family residence. The subject property is located at 119 Atlantic City Avenue (Assessor Parcel No. 060-075-002) and is zoned Coastal Single Family Residential (C-R-1). The project planner is Janet Reese.

Janet Reese presented the staff report. The existing dwelling will be considered a Secondary Dwelling Unit, with the proposed unit being considered the Primary Dwelling Unit. The property owners intend to occupy the proposed unit, with the existing unit being occupied by a family member. The existing garage will be demolished to allow access to the proposed unit.

The existing vegetation to the east of the existing dwelling will be removed to allow for a fire lane, as required by the Fire Department. Drainage is proposed via an above-ground basin in the front yard, and pervious pavers will make up most of the proposed driveway and parking area.

A view assessment was conducted and story poles placed. Staff has concluded that while some views may be affected, the proposed unit will not needlessly or substantially impact adjacent properties.

Staff received a response from one property owner, along with a hand written letter. The concerns raised were related to privacy and shading of property, which are not in the purview of the Planning Commission, since the proposed project meets setback requirements. She stated that the deck and roof deck both meet the requirements of the Municipal Code.

She stated that the project requires a Coastal Development Permit, but is in a non-appealable portion of the coastal zone. The Coastal Commission was notified of the project, and no comments were received.

Staff recommends that the Planning Commission adopt the resolutions attached to the staff report.

Director Hansen stated that the Zoning Ordinance does not have any provisions for dealing with shadows and privacy. The only privacy issues that the Ordinance has are related to roof

decks.

Commissioner Marshall asked about setback requirements for balconies. City Attorney Koczanowicz stated that there are setback requirements for roof decks only, not for balconies. He stated that the balcony protrudes outside of the building envelope, where the roof decks do not, which allows for the setback. Planner Reese stated that balconies can be as close as three feet from a property line in a side yard, and in a rear or front yard, it can go into the setback by three feet.

Commissioner Nielsen expressed empathy for the resident who wrote the letter, but that there was nothing the Commission could do to address the situation.

Chair Peterson opened the public hearing.

Chuck Lawrence, applicant representative, was available to answer questions from the Commission. Commissioner Marshall asked if the owners had heard from the neighbor who had submitted the letter. He indicated that they had not been contacted.

Commissioner Long asked if they were going to modify the existing unit to match the proposed unit. Mr. Lawrence indicated that they would add a front porch, the pitch on the roof will be changed to include the porch on the front, and the windows would be changed. The colors will match the new unit.

Chair Peterson asked if there was anyone from the public who wished to comment on the project. There was no one present who wished to comment, and the public hearing was closed.

Commissioner Coleman made the motion to accept staff's recommendations and adopt Resolutions 07-082 and 07-083. Commissioner Long seconded the motion, and it was carried with a vote of 6-0-1-0, with Vice Chair Snow absent.

ADJOURNMENT: 8:45

/s/

CHAIR BLUM

/s/

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

(Approved at PC Meeting: October 14, 2008)