



FINAL MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

SPECIAL MEETING
COUNCIL CHAMBER

Wednesday, March 6, 2019
7:00 PM

1. **CALL TO ORDER**

Chair Owens called the meeting to order at 7:00 PM.

2. **ROLL CALL - ESTABLISHMENT OF QUORUM**

3. **PLANNING COMMISSION**

PRESENT: Owens, La Mica, Evans, Ross, Dodson

ABSENT: Spalletta

4. **REVIEW OF AGENDA**

No changes were requested.

5. **PUBLIC COMMENT**

Chair Owens invited comments from the public.

- Latoya Allen spoke to her membership on the Homeless Committee and asked questions regarding city owned Parcels of land that can possibly be utilized in the future for transitional housing.

6 **APPROVAL OF MINUTES**

On motion by Commissioner Keith Dodson and seconded by Commissioner Arlington La Mica and passed by the following vote the Planning Commission approved the minutes as presented.

RESULT: ***Approved***

AYES: *John Owens, Denise Ross, Keith Dodson, Arlington La Mica, Dave Evans*

NOES: *None*

A. **FEBRUARY 13, 2019**

Action: Approved

7. **BUSINESS ITEMS**

A USE PERMIT APPLICATION NO. UP-19-01. LARRY AMOS, APPLICANT, IS REQUESTING THE APPROVAL OF A USE PERMIT TO ALLOW THE ESTABLISHMENT OF AN ITINERANT VENDOR TO COOK AND SELL BARBECUE FOOD PRODUCTS ON THE REAR OPEN SPACE AREA OF TERRACE LIQUORS LOCATED AT 1949 FREMONT BOULEVARD IN THE REGIONAL COMMERCIAL (CRG) ZONING DISTRICT. THE PROJECT IS EXEMPT CLASS 3, SECTION 15303(E) FROM THE CALIFORNIA ENVIRONMENTAL ACT (CEQA) GUIDELINES.

Senior Planner Medina presented the item requesting approval of a use permit to operate a food truck at a specific location. He explained that currently, the code does allow for an itinerant vendor on private property, but does allow them by use permit to do it on public streets for more than 10 minutes. The property owner/business owner of Ord Terrace Liquors is proposing to lease the rear, undeveloped open space area of the project site to allow a vendor to operate an outdoor barbecue food service. Mr. Medina detailed the site plan, operation plan including hours of operation and adjacent property owners. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and planned future land uses in the vicinity.

The Board discussed with the applicant methods to reduce the sound level of the generator, which was noted at 65 decibels at a level are allowed by permit. The motel would be the most impacted by this operation. On question, Mr. Medina spoke to the water issue that is preventing the development of this property at this time. The Commission also questioned impacts to the American Legion, the length of the permit if approved, site access and the possible need for the pathway. The Commission discussed the fact that taxes change differently if there is a structure, and they that as a long term permit, this is not the highest and best use for this property as they could be getting better tax revenue from it if it is developed at a future date. They would be supportive of the permit if it was time limited to 12 months. Commissioner Dodson clarified that the Commission cannot address competition, but can conditionally address this as it is non-conforming. They expressed concerns about the look of the site with canopies and porta-poties.

The applicant, Larry Amos spoke to his project proposal and questions from the commission. On question, he clarified that it is a Monday through Friday application, unless he has special events in other locations.

Chair Owens invited comments from the public.

- Lisa Anne Sawhney spoke to having his BBQ and it is great, but is glad to hear the questions. She spoke to conversations with the property owner who wanted to develop but cannot due to lack of water. She understands what this may be opening up and did agree with the shorter term permit if allowable. What residences is this setting and are we going to try to allow and encourage this mobility? What about a weekend food court on Broadway? Why not try to create something that we can as a city look at to drive more interest and activity. She is concerned about the appearance.

The commission agreed that they would be supportive if the item was a time limited permit,

but did not want to commit the property forever. The Commission requested that staff begin to research and draft regulations regarding allowances of itinerate vendors on City Streets in specific zones.

On motion by Commissioner Keith Dodson and seconded by Commissioner Denise Ross and passed by the following vote the Planning Commission tabled the request until March 27th to the direction from the City Attorney and also directed staff to look at considerations for modification of the existing Municipal Code allow food trucks on city streets.

RESULT: **Approved**

AYES: John Owens, Denise Ross, Keith Dodson, Arlington La Mica

NOES: None

B USE PERMIT APPLICATION NO. UP-19-02. STEVE AND JOHN CARDINALI, PROPERTY OWNERS, APPLICANT, AND BRIAN ROBERTS, APPLICANT, ARE REQUESTING USE PERMIT APPROVAL TO CONVERT AN EXISTING VEHICLE STORAGE LOT INTO A VEHICLE STORAGE LOT FOR A TOW SERVICE. THE PROJECT SITE IS LOCATED AT 446 PALM AVENUE IN THE MEDIUM DENSITY RESIDENTIAL (RM) ZONING DISTRICT OF THE WEST BROADWAY URBAN VILLAGE SPECIFIC PLAN (APN# 011-305-004 AND 005). THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(C) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

Senior Planner Medina explained the request to approve a use permit for the conversion of an 8,000 square-foot parcel originally approved for the storage of taxis/vehicles into a storage lot for a towing service (Matteson and Beers). The original use permit was approved on February 3, 1999. The subject site is located within Medium Density Residential (RM) Zoning District of the West Broadway Urban Village Specific Plan Zoning District. The site was zoned as primary retail when the use permit for taxi/vehicle storage was granted in 1999. With the change in zoning, the current use is now classified as a legal nonconforming. Subject to receiving approval from the Planning Commission on the use permit, a nonconforming use can be changed to another nonconforming use of the same or more restricted nature. The existing tow service is located in the City of Seaside at 1529 Santa Barbara Street but the applicant has to relocate due to the loss of their current lease. The tow service is one of two tow services in the City of Seaside. He spoke to the site plan, surrounding uses, land use compatibility, pedestrian access, hours of operation, parking availability, restriction of parking of tow vehicles in the public right of way, restricting severely damaged from being placed within the facility, add requirement to upgrade the front yard fence. Staff requested the commission to discuss and provide direction.

The applicant Brian Roberts spoke to his request for the temporary use of the property and to his proposed application. The Commission discussed with Mr. Roberts his business operations, accessibility for driving through the alley, back up beeper sounds, flatbed operating hours and the intended length of time he would occupy the site. Mr. Roberts spoke to his request to the City to open land at Fort Ord for storage of cars.

Chair Owens invited comments from the public.

- Lisa Anne Sawhney expressed concern that the capacity will be insufficient and also that she hoped it was not a long term use.

- Tony Reed, office manager spoke to Mr. Roberts' ethical business practices and said that the most important feature is accessibility for operations. This spot will be temporary, if the city can help rezone to make other land available for this type of use.

The Commissioners agreed that this is a needed service for the city and an asset. Chair Owens requested the fence be lowered to 6 feet, as it is in a residential zone. They requested that as part of the conditions, the hours be specified from 7 to 9 pm and that they cannot park any cars on city streets. Mr. Medina reported the item would be brought back for a resolution to include the finding stated at the meeting.

On motion by Commissioner Keith Dodson and seconded by Commissioner Arlington La Mica as passed by the following vote the Planning Commission conditionally approved the request as presented and directed staff to return on March 15th with a resolution incorporating the stated findings and conditions.

RESULT: **Approved**

AYES: John Owens, Denise Ross, Keith Dodson, Arlington La Mica, Dave Eva

NOES: None

8. **REPORTS FROM COMMISSIONERS**

Commissioner Dodson reported regarding pot holes on Ord Grove and La Salle at both ends and requested that it be reported to the appropriate staff. The Commission also requested to agendaize a discussion the approved use permit for the restaurant regarding nighttime entertainment and hours of operation at the March 27th meeting.

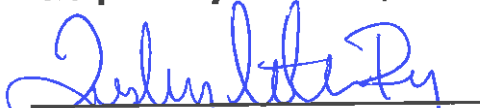
9. **REPORTS FROM STAFF**

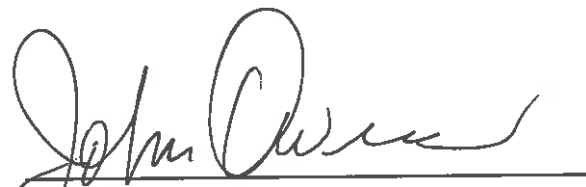
Staff reported that the short term rentals enforcement will be discussed at the next City Council meeting and that the Committee work plan will be before the Commission on March 13th.

10. **ADJOURNMENT**

The meeting was adjourned at 9:09 PM.

Respectfully submitted,


Lesley Milton-Rerig, City Clerk


John Owens, Chair