

CORONADO PLANNING COMMISSION
MEETING MINUTES

Regular Meeting

August 24, 2010

The regular meeting of the Coronado Planning Commission was called to order at 3 p.m., Tuesday, August 24, 2010, at the Coronado City Hall Council Chambers, 1825 Strand Way, Coronado, by Chairperson Grimes.

MEMBERS PRESENT: Grimes, Jensen, Santos, and St. Denis

MEMBERS ABSENT: Gaylord

STAFF PRESENT: Rachel A. Hurst, Director
Ann McCaull, Senior Planner
John Swanson, Associate Planner
Martha L. Alvarez, Recording Secretary/Minutes Preparer

APPROVAL OF MINUTES

The minutes of the regular meeting of July 27, 2010, were approved as submitted.

DIRECTOR'S REPORT

None.

COMMITTEE REPORTS

Historic Resource Commission

Vice Chair St. Denis reported that on August 17, the City Council continued the Historic Alteration Permit request involving 1043 Ocean Boulevard, in order to allow the applicant to obtain an evaluation for the historic windows from a vendor recommended by the City.

Vice Chair St. Denis also reported that on August 18, the Commission approved an Historic Alteration Permit request for the designated Mills Act property addressed as 1125 Flora Avenue, and approved a Notice of Intent to Demolish requests for two properties addressed as 550 Marina Avenue and 510 I Avenue.

Vice Chair St. Denis then reported that on September 1, the Commission approved a Notice of Intent to Demolish application at 711 Fourth Street; denied a Notice of Intent to Demolish application for 1105 F Avenue; discussed the Historic District ordinance and directed staff to prepare a draft of the ordinance for review at a future meeting.

ORAL COMMUNICATIONS AND OTHER MATTERS

NON AGENDA ITEMS

There were no members of the public wishing to speak at this time.

LISTED AGENDA ITEMS

There were no members of the public wishing to speak at this time.

APPLICATIONS FOR REVIEW

PC 2010-09 and CP 2010-01 H&R BLOCK ENTERPRISES LLC – Request for a Minor Special Use Permit and Coastal Permit to operate a Formula Business Establishment at 953 Orange Avenue and located in the Commercial Zone of the Orange Avenue Corridor Specific Plan (OACSP)

Mr. Swanson introduced the agenda item as outlined in the staff report.

George Gaskins, Director, H&R Block, provided a brief overview and answered questions of the Commission.

Chairperson Grimes asked about the use being categorized as “personal service.”

Mr. Swanson said the use qualifies under “personal service” as well as “retail service.”

Commissioner Santos asked if the applicant had looked for alternative locations which would provide ample parking.

Mr. Gaskins said visibility was one of the key factors for choosing this location. He said he would prefer not to be too far from their original location on Orange Avenue. In addition, he feels that client parking has never been an issue as most of his clients are within walking distance from his business.

Commissioner Santos asked about the number of client visits H&R Block receives during their high season, which is January to April of each year.

Mr. Gaskins said that over the 15-year period it has operated in Coronado, H&R Block staff has assisted over 10,000 clients, and has averaged about 1,500 client visits during the tax season.

Commissioner Santos said that parking issues were her main concern with regard to the proposed location.

Mr. Gaskins said they have two types of clients: 1) service members who visit at different times depending on their work schedules; 2) Coronado residents, many who are homeowners. It is

certainly not anticipated that H&R Block will receive a high amount of client visits at one time as the flow of business is generally spread out over the course of the tax season. Mr. Gaskins added that he has never received complaints from his clients about parking.

Commissioner Santos asked if most of his clients are walk-ins.

Mr. Gaskins said 95 percent of his clients are walk-ins who reside in Coronado.

Commissioner Santos said there are no laws that address parking issues at this level; however, it does not mean that parking is not an issue or is not affecting other merchants on Orange Avenue.

Mr. Gaskins replied that if he were to receive any complaints about parking, he would definitely address the issue.

Commissioner Santos said she understands that visibility is a priority for H&R Block; however, she suggested they may want to consider alternative locations which would provide sufficient parking for their clients.

Mr. Gaskins said that they have assessed potential locations in Coronado that would accommodate their business needs. He pointed out that H&R Block has been in the community for over 15 years and they are not projecting a substantial amount of growth that would require a larger facility. Based on their analysis, they have determined that the proposed location is suitable for their needs.

Chairperson Grimes said that he received many telephone calls from residents regarding the use at this location. He understands that H&R Block's "professional use" is grandfathered at their original location but not at the proposed site. He said he served on the Specific Plan Subcommittee and noted that the intent of the plan was to have this area be as retail friendly as possible; therefore, professional use was prohibited on the ground floor. Mr. Grimes said he recognizes that H&R Block's use is defined as "personal service" although it appears it is "professional use." He said he did not feel that their business was best suited for that location. He did, however, feel there were alternate locations which would be more fitting to their business needs, e.g. ground floor space located off Orange Avenue. Mr. Grimes asked the applicant if they would consider other locations, and if they had sufficient time to relocate before the tax season began.

Mr. Gaskins said they would prefer to locate to the 900 block of Orange Avenue as originally planned. He added that they were not originally planning to relocate; however, because of increased rent, they were obligated to seek other options. He said that the process of relocating takes time and stated that if they were to re-start the process of finding a suitable location at this time, they most likely would not be ready for the tax season which begins in January.

Commissioner St. Denis said she also served on the Specific Plan Subcommittee with Chairperson Grimes. She said she had similar concerns and feels there is a fine line in defining H&R's Block's use as "business" rather than "professional." She visited H&R Block's website

and noticed that they describe themselves as “tax professionals.” She read into the record an excerpt from H&R Block’s webpage, “Many H&R Block tax professionals have successfully taken and passed the H&R Block Income Tax Course recognized as the industry’s leading tax training program. If you are already a seasoned tax preparer, we invite you to take the Tax Knowledge Assessment Test and possibly test out of the tax course.” Ms. St. Denis asked for additional information regarding the tax course.

Mr. Gaskins said most of instructors have been trained by H&R Block and, therefore, Certified Public Accountant (CPA) designation is not a requirement for employment. He said that although the course is industry leading, it is an in-house program which does not have a governing body overseeing or conferring a special designation to students.

PUBLIC COMMENT

Rita Sarich, Executive Director, Coronado MainStreet, said she disagrees with staff’s determination that H&R Block’s use is personal and not professional. She agrees that the ordinance is not clear on the distinction but suggested that this type of business is a “professional service,” which is allowed in the commercial district but not on the ground floor level. She noted that H&R Block is only open part-time during certain times of the year and stated that MainStreet does not support this type of business being located in the center of the business district.

Karen Finch, Coronado Chamber of Commerce, said she spoke with the applicant last week to convey similar concerns. She said that although they value and appreciate H&R Block’s business, there is a concern about the retail business mix. She suggested they look into alternate locations for their business.

Nancy Warner, 861 H Avenue, said she served on the Specific Plan Subcommittee which established a vision for Orange Avenue. She disagreed with staff’s findings and said the use is primarily “office business.” She stated that the only office businesses allowed on the ground floor of Orange Avenue is real estate. She also expressed concern about property owners that request higher rates than the approved uses their property can support. She understands that owners are attempting to obtain agreements with businesses which are incompatible with the intent of the Specific Plan.

Chris Ackerman, 765 C Street, said he also served as a member of the Specific Plan Subcommittee. He said he agrees with the comments made by Ms. Warner, and feels there may be a better location choice for H&R Block.

COMMISSION DISCUSSION

Chairperson Grimes asked if it is possible to approve the request by H&R Block to operate as a Formula Business and caveat that with a restriction from operating on the ground floor of Orange Avenue.

Director Hurst said the application is site specific.

Vice Chair St. Denis read into the record Finding B, "Approval of the Formula Business establishment will be consistent with the policies and standards of the Specific Plan, General Plan and the Local Coastal Program..." She read from the Specific Plan book: "The overall vision for the Specific Plan area is to maintain a small town village atmosphere for commercial, residential, and civic land uses in a pedestrian-friendly environment that provides a balance between resident and visitor needs." Ms. St. Denis said the request does not fit this requirement as the point of the Specific Plan was to obtain and maintain a type of interactive sidewalk vitality for our very limited main commercial street. She agrees that H&R Block certainly fills a community need and she appreciates that their business provides services to our military; however, she does not feel it should be located on the ground floor of Orange Avenue. Ms. St. Denis said the Specific Plan Subcommittee wanted "to eliminate from Orange Avenue non-retail uses from Orange Avenue as it creates gaps between shops and is a detriment to the viable shopping district." She suggested that H&R Block may want to consider leasing at the second story level on Orange Avenue. She also noted that they were not listed in the Coronado telephone directory.

Commissioner Jensen communicated his concern that the Commission may be using H&R Block's discomfort with their landlord as an opportunity to remove the business from the ground floor of Orange Avenue. He commented that H&R Block has been a very commendable neighbor and a viable business. In addition, foot traffic from their business has provided some feeder to other nearby businesses.

Commissioner Santos said she shared the same concern as Commissioner Jensen.

Vice Chair St. Denis clarified that the grandfathering rights apply only to the original site on Orange Avenue.

Chairperson Grimes said H&R Block has been a great neighbor for the last 15 years and although he would like to see their business continue to operate in town, he would suggest an alternate location. However, he understands that the proposed location has been vacant for some time and he appreciates H&R Block's interest in leasing the site. Mr. Grimes asked the applicant if he would consider locating to another site in Coronado.

Mr. Gaskins replied that they would consider other possible locations and would not rule out returning to their original location. He understands the concerns expressed by the Commission and the community and, as a partner in the community, would like to do what is in the best interest of everyone. Mr. Gaskins said that of the 700 office locations in Southern California, there are only two locations which are located at the second story level. This is in response to their clients' needs and flow of traffic.

Chairperson Grimes suggested there are spaces at the ground floor level that are not located on Orange Avenue which may be more beneficial for H&R Block.

Commissioner Jensen asked about the length of time that the proposed location (953 Orange Avenue) has been vacant.

Chairperson Grimes said it has been vacant for over ten months.

Commissioner Jensen commented that the City could potentially have two vacancies on Orange Avenue.

Vice Chair St. Denis asked about the length of time the original location (853 Orange Avenue) has been vacant, and if H&R Block was considering returning to this location.

Mr. Gaskins said they moved in April of 2010. At this time, it is unclear whether returning to their original location is an option as the rent was substantially increased.

Mr. Swanson stated that H&R Block has 180 days (six months) before they lose their grandfathering rights at the original location.

Chairperson Grimes suggested that the item be continued to allow the applicant time to work with staff in considering a more viable business location.

Mr. Swanson stated that if a different site is proposed, the public hearing would need to be re-noticed and the item would return before the Commission, at the very soonest, in one month.

Commissioner Jensen agreed that the item should be continued.

Commissioner Santos agreed.

COMMISSION ACTION

COMMISSIONER JENSEN MADE A MOTION TO CONTINUE THE ITEM.

COMMISSIONER SANTOS SECONDED THE MOTION.

Vice Chair St. Denis asked if a request by the applicant to locate their business on a commercial side street or second floor level on Orange Avenue can be approved without an address.

Director Hurst replied no because this is a land use matter and therefore site specific.

COMMISSIONER JENSEN AMENDED HIS MOTION AS FOLLOWS: A MOTION TO CONTINUE THE ITEM TO A NON SPECIFIC DATE IN ORDER TO ALLOW THE APPLICANT TO WORK WITH STAFF TO DETERMINE A FUTURE MEETING DATE. IF THE APPLICANT, IN THE INTERIM, IDENTIFIES AN ALTERNATE LOCATION, THE APPLICANT WOULD RETAIN THE RIGHT TO AMEND THEIR APPLICATION.

COMMISSIONER SANTOS SECONDED THE MOTION.

AYES: Grimes, Jensen, Santos, and St. Denis
NAYS: None.
ABSENT: Gaylord.
ABSTAIN: None.

The motion passed 4-0.

PC 10-09 **CITY OF CORONADO** – Residential Standards Improvement Program (RSIP)
Subcommittee Briefing on proposed recommendations pertaining to Single
Family Zoning Development Standards.

Jim Strickland, RSIP Subcommittee Chair, provided an overview of the process via a PowerPoint presentation.

Dorothy Howard, Architect, provided an overview of the findings and recommendations via a PowerPoint presentation.

Commissioner Santos asked about roof pitch and what constitutes a change.

Ms. Howard said the break point is less than 3-and-12 and would be considered a flat roof at the 23-foot height limit, based on their suggestion that it be increased to this height. At 6-and-12, the maximum height of the ridge can be 27 feet and 6 inches. Above 6-and-12, the height limit is 30 feet to the ridge. This is an example of testing to ensure that the maximum FAR can be reached on the larger lots.

Commissioner Santos commented that the objectives have been significantly improved. She was especially pleased with the proposed recommendations for changes to dormers.

Commissioner Jensen commended Mr. Strickland and Ms. Howard on their presentation. Mr. Jensen asked how they addressed the issue of property owners removing trees from their property, especially if it accounted for some of their FAR points.

Mr. Fait said that if a property owner requests the issuance of a subsequent permit, they must account for all of their FAR points again at the time of application. The property owner then has the option of re-planting trees to regain points, or they must find another means of regaining the FAR points.

Vice Chair St. Denis said an individual may purchase a property and may not be aware that a tree on the property may account for part of the overall FAR points. She suggested that a requirement to obtain an over-the-counter permit for the removal of trees may be a good idea.

Commissioner Jensen said this issue may be a sensitive one. He then asked if undergrounding utilities on new development is a requirement in California.

Mr. Fait said each jurisdiction has its own regulations for undergrounding utilities.

Commissioner Jensen commented that nothing would add more to the ambiance of Coronado than undergrounding the utilities. He felt that assigning one point for undergrounding utilities may not be sufficient. Mr. Jensen asked if points are given for architecturally-designed garages that face an alley.

Ms. Howard replied that points are only given for garages that face the street.

PUBLIC COMMENT

Chris Ackerman, 761 C Avenue commended Mr. Strickland and Ms. Howard on their presentations. He said he supported the item moving forward.

Vice Chair St. Denis thanked Mr. Ackerman for his attendance and participation at almost every RSIP Subcommittee meeting.

COMMISSION DISCUSSION

None.

COMMISSION ACTION

NO ACTION WAS TAKEN ON THIS ITEM.

MISCELLANEOUS

Chairperson Grimes reported that former Councilmember Ruth K. "Patty" Schmidt passed away on August 21, 2010. Mr. Grimes said that Coronado lost a great citizen, and extended his prayers to her family. A service is scheduled Saturday, August 28, 2010, at 2 p.m., at Christ Episcopal Church at Ninth Street and C Avenue in Coronado.

Mr. Strickland mentioned that Patty Schmidt was a key member of the original RSIP Subcommittee. She brought so much experience and a love for the City of Coronado to every meeting. She was a great person to work with and will be missed.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:15 p.m.

Rachel A. Hurst, Director of Community Development,
Redevelopment & Housing Services