

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

**SUBJECT: CONDITIONAL USE PERMIT 07-009, 1521 VINE STREET
APPLICANT – MCCARTHY ENGINEERING, INC. REPRESENTING
MARGO VAN HORN**

DATE: SEPTEMBER 25, 2007

Needs: For the Planning Commission to consider a referral from City Council to reconsider the proposed Conditional Use Permit 07-009 for a Bed and Breakfast Inn (B&B) with a revised parking layout.

- Facts:**
1. This Conditional Use Permit application is a request to establish a Bed and Breakfast Inn at 1521 Vine Street.
 2. The Planning Commission considered this request on July 10, 2007 and denied the application based on concerns that the B&B would result in parking impacts and therefore not be compatible with the surrounding neighborhood.
 3. The applicant appealed this decision to the City Council. The City Council considered the appeal on September 4, 2007, and referred the item back to the Planning Commission for reconsideration of a revised parking layout that was presented the night of the Council meeting.
 4. The applicant has submitted two exhibits (A and B) of revised parking plans. Both alternatives include two spaces in the front, however the rear parking arrangement varies in Exhibits A and B. (See Attachment 1 – Revised Parking Plans).
 5. The Development Review Committee (DRC) considered the proposed revised parking layouts on September 17, 2007. The majority of the DRC supported the proposed CUP with the parking arrangement proposed in Exhibit B, which includes two rows of tandem parking in the rear.

**Analysis
and**

Conclusions: The City supports adaptive reuse and improvements to historic structures. The City also supports tourist-oriented uses such as lodging, including Bed and Breakfasts Inns, were it can be demonstrated that these uses will fit in the surrounding area. However, as noted above, the Planning Commission initially denied this application based on concerns that the business may result in parking impacts to the neighborhood. The Commission made this determination due to the proposed parking plan which included six parking spaces in the rear of the lot, designed in two rows with three cars each. The concerns are that it would be

too tight to maneuver and to open or close car doors, in addition to it being difficult and/or awkward to enforce for the business owner since at times some of the cars would be blocked in by other guests. The result of the difficult parking situation of this business would be more cars parked on the street than in a typical residence in a residential neighborhood. Therefore, the business has the potential to not be compatible with the residential character of the surrounding neighborhood.

The applicant has proposed two different revised parking plans in Exhibits A and B, in an effort to address parking concerns. The first plan in Exhibit A includes providing the six required parking spaces as follows: four parking spaces in the rear, with three spaces in tandem and one single space; and two spaces in the front yard accessed from Vine Street with a new “ribbon” driveway and curb cut. A ribbon driveway includes two strips of concrete or pavers with landscaping in between, which helps soften the appearance of driveways.

In reviewing this revised parking layout, the three rear spaces (#3, #4, and #6) do not comply with the parking dimensions required for parallel parking. Each parallel space requires a minimum of 22 feet in length, plus four feet in front of space #6, and 27 feet for back up area for #3. The total area needed would be 93 feet, including the alley. The plan only shows approximately 84 feet available. Additionally, #4 could not be accessed if spaces #3 and #5 were occupied since this space requires a vehicle to pull forward (where #5 is located) and then back into the space. The DRC did not support this proposed parking alternative.

The other revised parking plan in Exhibit B, is designed with the two spaces in front with a ribbon driveway, and four spaces in the rear area in two rows of tandem parking spaces. The DRC determined that this proposed arrangement was a good attempt to address the parking issue.

There have been other projects approved with two rows of tandem spaces in the past, however, allowing tandem parking is a discretionary decision where it can be demonstrated to the Commission’s satisfaction (with specific findings) that this type of parking will not result in parking impacts or negatively affect the surrounding area. In this circumstance the business owner would still need to carefully manage guest parking since guests may come and go at different times. If parking is not well managed, guests will simply park on the street.

Another option to address the parking issue is to require the applicant to remove the cottage in the rear. This would eliminate the need for one parking space, and open up enough area to not need the parking spaces in the front yard. If the Commission pursues this option, staff suggests the Commission require the applicant to revise the site plan design to show how the parking spaces would be designed and bring the revised site plan back to DRC for final approval.

It's important to point out that the applicant's web site currently directs guests for two of the units to park on the street, and one illegally in the alley. Should the Commission support a revised parking layout, then a condition of approval has been included requiring the applicant to modify the business web site to require guests to use on-site parking spaces.

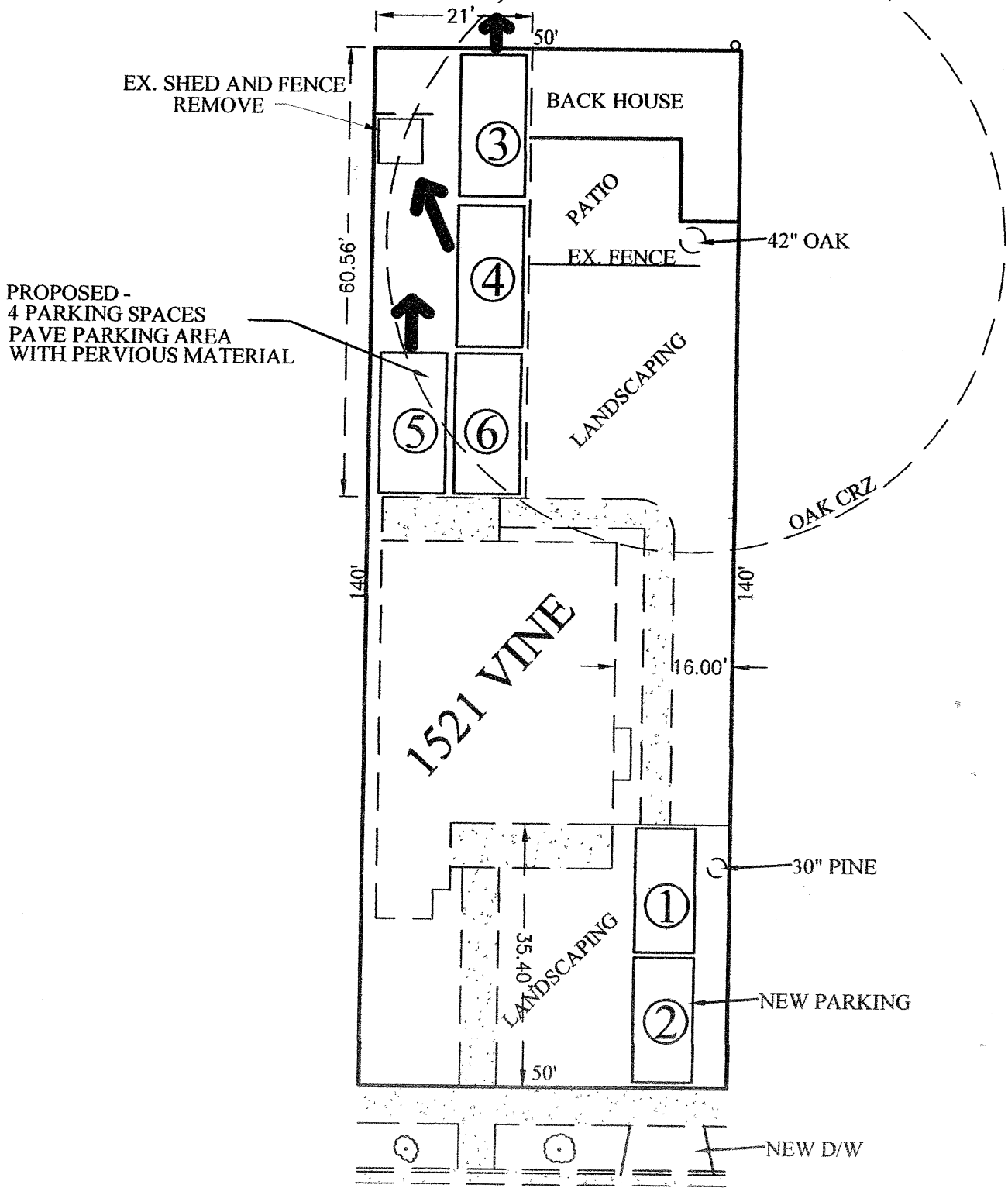
Options: After considering the information presented and the public testimony received, the Planning Commission will be asked to select one of the following options:

- a. Adopt the attached Resolution approving CUP 07-009.
- b. Adopt the attached Resolution denying the Conditional Use Permit as proposed due to parking impacts to the neighborhood.
- c. Amend, modify, or reject the above-listed actions.
- d. Request additional information and analysis.

Attachments:

- 1 – Proposed Revised Parking Plans, Exhibits A & B
- 2 – Resolution to Approve CUP 07-009
- 3 - Resolution to Deny CUP 07-009
- 4 - Notices

IMPROVEI

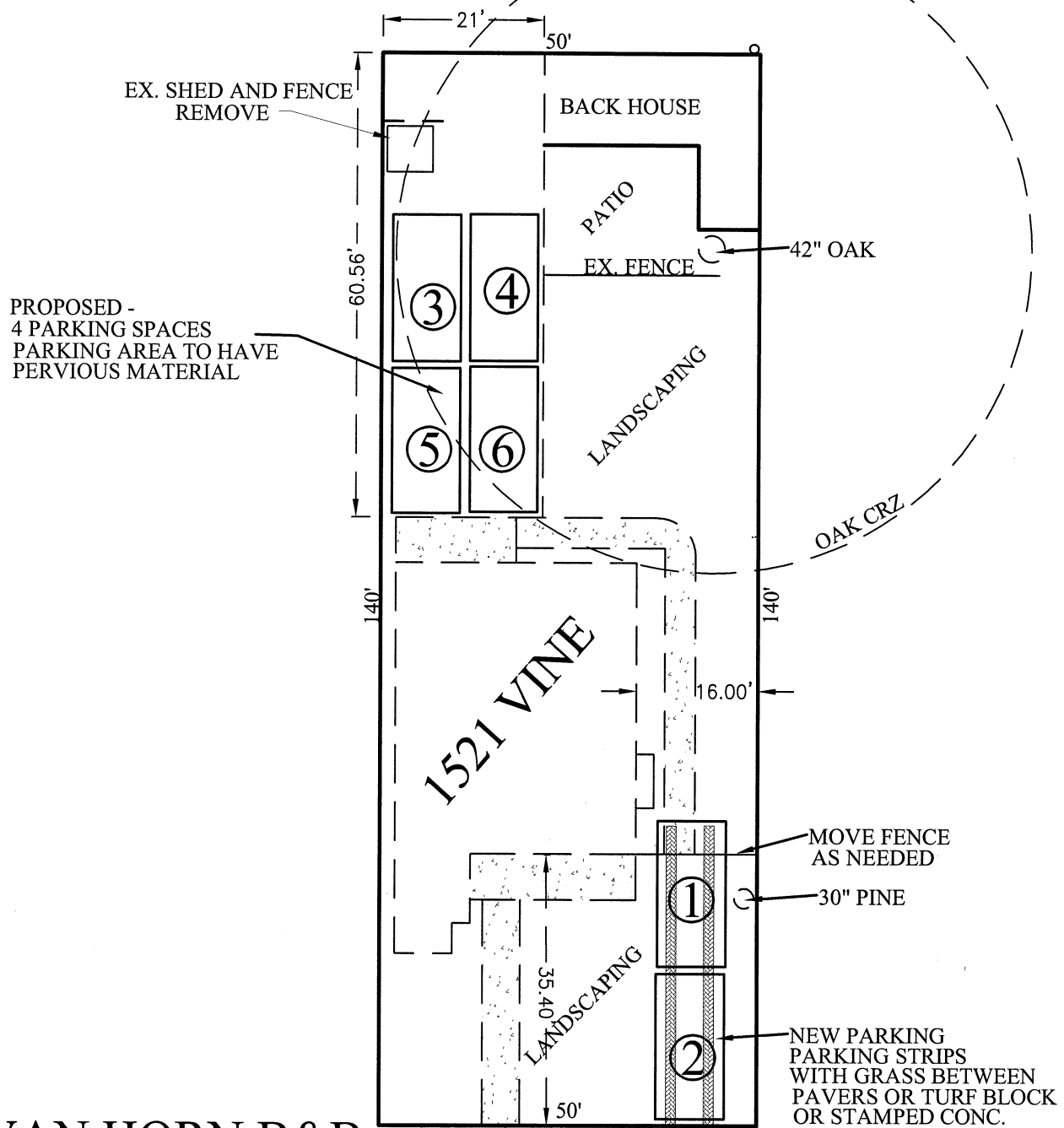


VAN HORN B&B PLOT /SITE PLAN

VINE S

Exhibit A

EXIST. IMPROVED ALLEY



VAN HORN B&B
 PLOT /SITE PLAN
 W/ 2 SPACES IN
 FRONT.

VINE ST

1"=20' SCALE
Exhibit B

MCCARTHY ENGINEERING, INC.

PROJECT DEVELOPMENT, TRAFFIC AND CIVIL ENGINEERING

21.22.060 Development standards.

A. Size of Parking Spaces.

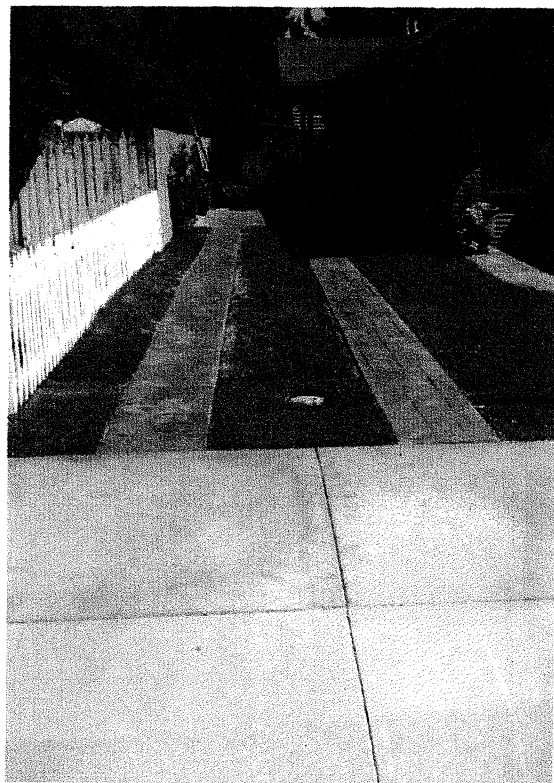
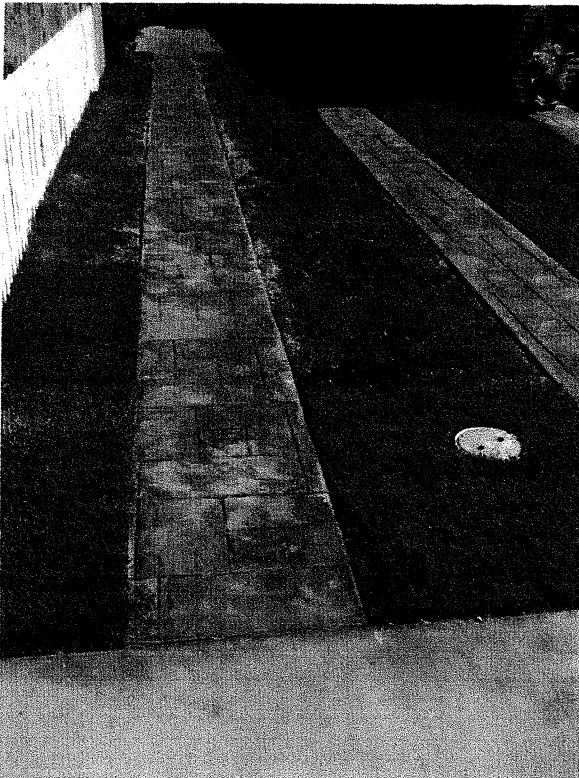
1. *Residential Zones.* All covered (garage or carport) parking spaces required for residential use shall be at least ten feet in width, and at least twenty feet in depth. The width of each required enclosed parking space may be reduced in order to accommodate columns and end walls where necessary; provided, that no such parking space shall have a width of less than nine feet six inches. Garage door openings shall be at least eight feet in width for each parking space within a garage. Uncovered parking spaces (for multifamily development) shall be at least nine feet in width.

2. *All Other Zones.* The minimum size of a parking space (whether or not required) shall be a width of nine feet and a length of eighteen feet with no obstructions in this area allowed. Exceptions:

a. *In OP, OP overlay, C, M, RC, and PM zones, compact parking spaces measuring at least eight feet in width and sixteen feet in length may be provided in lieu of up to twenty-five percent of the total spaces required, located in a manner subject to approval of the required approving body.*

b. *For both conventional and compact parking spaces, a maximum of two feet of the required depth of the space may overhang landscaping or on-site walkways.*

PROPOSED RIBBON TYPE DRIVEWAY EXAMPLE PHOTOS



737 ORCHARD DRIVE, PASO ROBLES, CALIFORNIA, 93446
(805)238-9585 (805)237-8556 FAX
e-mail mac@tcsn.net

MCCARTHY ENGINEERING, INC.

PROJECT DEVELOPMENT, TRAFFIC AND CIVIL ENGINEERING

Margot Van Horn Project – 1521 Vine St.

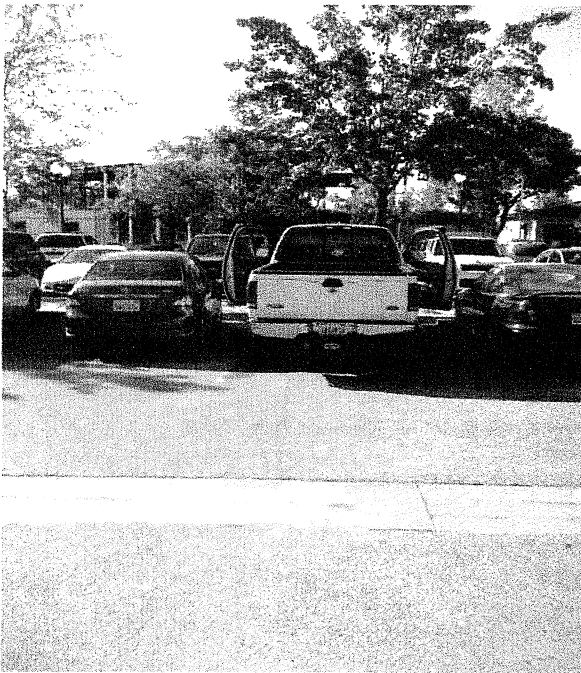
City Hall Parking Lot – Showing 9 foot wide spaces with doors open on F150 Truck and parking adjacent. Width of truck = 6 feet. Distance to open door is 2.5 feet. Truck + Door Open = 8.5 feet

Distance at Vine Street House between existing fences is 20.5 feet at the narrowest spot. Therefore 20.5 divided by 2 spaces = 10.25 feet per space available.

Needed Space for F150 Truck with door open = 8.5 feet

Provided Space at the parking area with fences = 10.25 feet per vehicle.

Therefore opening the doors with the existing fences is no problem, it is similar to any other parking space/ lot in the City.



Tape measure shows 2.5 feet from open door to truck body.

737 ORCHARD DRIVE, PASO ROBLES, CALIFORNIA, 93446

(805)238-9585 (805)237-8556 FAX

e-mail mac@tcsn.net

RESOLUTION NO.

A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
APPROVING CONDITIONAL USE PERMIT 07-009
TO ESTABLISH A BED AND BREAKFAST INN LOCATED
AT 1521 VINE STREET, APN: 008-318-012
APPLICANT – JOHN MC CARTHY, MC CARTHY ENGINEERING, INC

WHEREAS, Conditional Use Permit (CUP) 07-009 has been filed by John McCarthy on behalf of Margot Van Horn; and

WHEREAS, CUP 07-009 is a proposal to establish a Bed and Breakfast Inn located at 1521 Vine Street; and

WHEREAS, the City's General Plan and Economic Development Strategy include policies that support tourist oriented development; and

WHEREAS, no exterior alterations are proposed to the existing historic structure and the appearance of the home and landscaping are consistent with other Victorian era homes on Vine Street; and

WHEREAS, the proposed parking area in the rear of site which includes providing four parking spaces in the rear area in two rows of tandem parking and two tandem ribbon parking spaces in the front yard constructed with pervious pavers to provide the required parking spaces for renting three rooms in the home and the rear cottage for transient lodging, and for the residential use of the site; and

WHEREAS, the Planning Commission has determined that tandem parking will not result in negative parking impacts or affect the character of the surrounding residential neighborhood; and

WHEREAS, the Planning Commission held duly noticed public hearings on July 10, 2007, and September 25, 2007, and the City Council held a duly noticed public hearing on September 4, 2007 to accept public testimony on this Conditional Use Permit 07-009; and

WHEREAS, based upon the facts and analysis presented the Planning Commission makes the following findings:

1. The project will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The project is consistent with the General Plan Land Use Designation, and applicable zoning standards.
3. The bed and breakfast inn and associated tandem parking plan is compatible with the surrounding residential neighborhood.
4. Oak tree protection measures recommended by the project Arborist shall ensure that the proposed parking area will not be detrimental to the health of the existing 42 inch oak tree on the property.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve of this Conditional Use Permit 07-009, subject to the following conditions:

STANDARD CONDITIONS

1. The project shall be operated in substantial conformance with the following conditions established by this resolution:
2. Any condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the conditional use permit.
3. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
4. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
5. Use and operation of the business and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).

SITE SPECIFIC CONDITIONS

6. A sign permit shall be required prior to installation of any signs, and shall be reviewed and approved by the Development Review Committee.
7. The property owner shall maintain continuous residency of the home at all times while the site is used as a B&B.
8. The applicant shall obtain written approval of the San Luis Obispo County Health Dept. within 30 days of approval of this CUP.
9. Six parking spaces shall be provided and maintained on the property, including two tandem spaces in the front of the lot and two rows of tandem spaces (4 parking spaces) in the rear area of the site as shown on the approved Plot Plan. The property owner shall inform all guests that they are to park their car in on-site parking spaces.
10. The applicant shall change the parking information on the business website so that it reflects the requirement for all guests to park in on-site parking spaces.
11. All oak tree protection mitigation measures noted by the project Arborist shall be adhered to in compliance with the Arborist Report, including installing pavers or other permanent, permeable materials in the rear parking area within the Critical Root Zone of the existing 42 inch oak tree.
12. The fire and building departments shall conduct an annual inspection of the B&B.

PASSED AND ADOPTED THIS 25th day of September, 2007 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Margaret Holstine, Chairman

ATTEST:

Ron Whisenand, Planning Commission Secretary

RESOLUTION NO. 07-

A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
DENYING CONDITIONAL USE PERMIT 07-009
TO ESTABLISH A BED AND BREAKFAST INN
AT 1521 VINE STREET, APN: 008-318-012
APPLICANT – JOHN MC CARTHY

WHEREAS, Conditional Use Permit (CUP) 07-009 has been filed by John McCarthy on behalf of Margot Van Horn; and

WHEREAS, CUP 07-009 is a proposal to establish a Bed and Breakfast Inn at 1521 Vine Street; and

WHEREAS, the Planning Commission held a noticed public hearings on July 10, 2007 and September 25, 2007 and the City Council on September 4, 2007, to take public testimony and consider the requested Conditional Use Permit; and

WHEREAS, based on staff analysis and public testimony the Commission determined that the project site does not have enough space to adequately provide the required parking per the Zoning Code; and

WHEREAS, the Planning Commission denied the Conditional Use Permit based on findings that the business could cause potential parking problems that may negatively impact the character of the surrounding residential neighborhood; and

WHEREAS, the City Council referred the item back to the Planning Commission to reconsider the proposed CUP with an alternative parking plan; and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received, the Planning Commission finds that the Bed and Breakfast Inn cannot adequately meet their on-site parking requirements which may result in potential parking impacts that would be detrimental to the neighborhood and the general welfare of surrounding properties.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED, by the Planning Commission of the City of El Paso de Robles as follows:

1. The above Recitals, the Staff Report, including but not limited to the Staff Report analysis of Applicant's Proposal to Provide six (6) on-site parking spaces with two spaces in the front yard and two (2) rows with two (2) spaces parked in tandem in the rear are incorporated herein by reference and constitute findings of denial of Conditional Use Permit 07-009.
2. That the proposed parking proposal will not meet the City's off-street parking requirements and will cause Applicant's guests to use on-street parking, which under the circumstances will be detrimental to the convenience and general welfare of persons residing or working in the neighborhood and the general welfare of the City.
3. The Planning Commission hereby denies Conditional Use Permit 07-009.

PASSED AND ADOPTED THIS 25th day of September, 2007 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Margaret Holstine, Chairman

ATTEST:

Ron Whisenand, Planning Commission Secretary

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

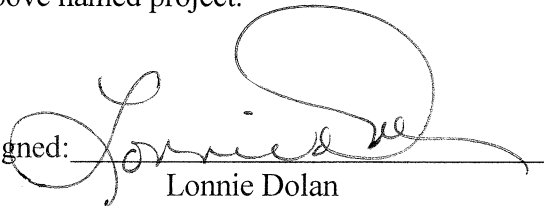
Newspaper: Tribune

Date of Publication: September 12, 2007

Meeting Date: September 25, 2007
(Planning Commission)

Project: Appeal Conditional Use Permit
07-009 (Van Horn - 1521
Vine Street)

I, Lonnie Dolan, employee of the Community Development Department, Planning Division, of the City of El Paso de Robles, do hereby certify that this notice is a true copy of a published legal newspaper notice for the above named project.

Signed: 
Lonnie Dolan

forms/newsaffi.691

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, September 25, 2007, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider the following project:

A Conditional Use Permit to establish a Bed and Breakfast business located at 1521 Vine Street, APN 008-318-012. The permit will require approval of parking exceptions to allow the use of tandem parking. The City Council considered an Appeal of the Planning Commission's denial of this application, and referred it back to the Planning Commission for consideration of a revised parking layout.

The staff report may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.

Written comments on the Conditional Use Permit may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Susan DeCarli at (805) 237-3970.

If you challenge the application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at or prior to the public hearing.

Susan DeCarli, AICP
City Planner
September 12, 2007

6636587

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Shaun Temple, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for CUP 07-009 – Van Horn Bed & Breakfast on this 13th day of September 2007.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Shaun Temple