

**PLANNING COMMISSION
MINUTES**

February 25, 2013

PLANNING COMMISSIONERS PRESENT: Barth, Garcia, Gregory, Holstine, Nash, Rollins, Vanderlip

ABSENT: None

PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA: Steve Gregory expressed praise for the City's new Salinas River Trail.

STAFF BRIEFING: None

AGENDA ITEMS PROPOSED TO BE TABLED OR RE-SCHEDULED: None

PRESENTATIONS: None

Planning Commission approval of a development project is one step in the process of meeting applicable legal requirements. In addition to receiving Planning Commission approvals, all development plans must comply with applicable Zoning and Building Codes. Applicants are encouraged to consult with a design professional to confirm what provisions of the Uniform Building Codes and, in particular, requirements for handicapped access will apply to your project and the design and/or financial implications of meeting these legal requirements.

All items on the Planning Commission Agenda are scheduled for action unless explicitly otherwise stated. Planning Commission Action on General Plan Amendments, Rezones, Street and Public Easement Abandonments, Street Name Changes, Code Amendments and any legislative related action is a recommendation to the City Council; the Council will hold a separate public hearing prior to taking final action. All Other Planning Commission action is final unless an appeal application, including the required fee, is filed with the Community Development Department within 15 calendar days of the date of the action. Any member of the public or the City Council may file an appeal. Please see last page of agenda for how to file an appeal.

PUBLIC HEARINGS

1. **Planned Development 12-007 - Vernon**
E. Gallagher, Community Development Director

For the Planning Commission to consider an application filed by Brad Vernon proposing to subdivide an approximate 1-acre site into 14 lots; to build one townhome on each lot.

Options:

- a. Adopt the attached Resolution approving Tentative Tract 2919 allowing the subdivision of the site into 14 lots, and approving Planned Development 12-007, allowing for the construction of 14-townhomes, including modifications to the Uptown Town Centre Specific Plan related to setbacks, and parking location, subject to standard and site specific conditions;
- b. Amend, modify, or reject the foregoing option.

Opened Public Hearing.

Public Testimony: In favor: Claudio Gonzalez, representative
 Matt Burtness, representative
 Tom Flynn

Opposed: None

Closed Public Hearing.

Action: A motion was made by Commissioner Gregory, seconded by Commissioner Barth, and passed 7-0, to approve Planned Development 12-007 with the addition of Condition #11 as follows:

Prior to the issuance of a building permit, the applicant shall provide a draft version of the CC&R's for review by the DRC for the residential project. The CC&R's shall include the following conditions:

- a. Garages shall be utilized for parking for the appropriate number of spaces as designed (one space for one car garage, and two spaces for two car garages) at all times.
- b. Basement areas shall only be used as storage areas accessory to each unit, unless other uses for the basements are permitted through the City Building/Planning permit process.
- c. The CC&R's including the conditions within this condition of approval shall be enforced through a Maintenance Agreement between all parcels and/or a Home Owner's Association.

- 2. **Planned Development 11-005 Amendment – Justin Winery**
 E. Gallagher, Community Development Director

For the Planning Commission to consider an application filed by Pults & Associates on behalf of Justin Vineyard & Winery, Inc. proposing to construct an approximate 66,000 square foot barrel and case storage building.

Options:

- a. 1) Adopt the attached Resolution approving a Mitigated Negative Declaration of PD 11-005 Amendment, subject to the

mitigation measures identified in the resolution approving PD 11-005;

- 2) Adopt the attached Resolution approving Planned Development 11-005 Amendment, allowing the construction and operation of the new 66,000 square foot warehouse building for Justin Winery & Vineyard, including the ability to defer the construction of parking spaces, subject to standard and site specific conditions;

b. Amend, modify, or reject the foregoing option.

Opened Public Hearing.

Ed Gallagher reported that the City had received on email comment on the proposed Mitigated Negative Declaration from the Northern Chumash Tribal Council that recommended preparation of a new archaeology report by an archaeologist approved by the tribe. He pointed out that the archaeologist in question had prepared numerous reports for the City and is listed on the County’s approved list of archaeologists; consequently there is no substantive evidence to warrant a new report.

Public Testimony: In favor: Andreas Eulate, representative
Mark Harper, representative

Opposed: None

Closed Public Hearing.

Action: A motion was made by Commissioner Gregory, seconded by Commissioner Barth, and passed 7-0, to approve a Mitigated Negative Declaration for the project;

Action: A motion was made by Commissioner Gregory, seconded by Commissioner Garcia, and passed 7-0, to approve Planned Development 11-005 Amendment as presented (correcting a typo in the “Now Therefore Be It Resolved” paragraph of the Resolution to add “approve”).

3. **Conditional Use Permit 11-011 Amendment – AT&T Mobility**

E. Gallagher, Community Development Director

For the Planning Commission to consider a request by AT&T, to replace the existing 9 panel antennas with 12 new panel antennas on the existing mono-pole located at 9000 E. Highway 46 (Paso Robles Landfill).

Options:

- a. Determine that replacing the existing 9 panel array with a 12 panel array (for a total of 18) on the existing cellular mono-pole is reasonable, given the existing facility design and location, and

adopt the attached resolution granting approval of Conditional Use Permit 11-011 Amendment;

- b. Amend, modify, or reject the foregoing option.

Opened Public Hearing.

Public Testimony: No public testimony given either in favor or opposed.

Closed Public Hearing.

Action: A motion was made by Commissioner Gregory, seconded by Commissioner Rollins, and passed 7-0, to approve Conditional Use Permit 11-011 Amendment as presented.

OTHER SCHEDULED MATTERS

- 4. **Miscellaneous 13-001 (Paso Enterprises, LLC)**
E. Gallagher, Community Development Director

Request an interpretation by the Planning Commission for the ability to expand an existing non-conforming use within Uptown – Town Centre Specific Plan.

Options:

- a. Make the interpretation that allowing the removal of the gas station and rebuilding a new gas station with market would be permitted, since the Uptown Town Centre Specific Plan allows the existing gas station to continue operation, and since markets are permitted in the TC-1 zone;
- b. Amend, modify, or reject the foregoing option.

Ken Nagahara, representing the applicant, spoke in favor of the project.

Action: A motion was made by Commissioner Barth, seconded by Commissioner Holstine, and passed 7-0, to make the interpretation – as written in the agenda, but strike the words “removal of the gas station and”.

- 5. **General Plan Annual Report**
E. Gallagher, Community Development Director

To consider a status report on the implementation of the General Plan.

Options:

- a. By voice vote approve submittal of the 2012 General Plan Annual Report;

- b. Submit the General Plan Annual Report to the Governor’s Office of Planning and Research and to the Department of Housing and Community Development;
- c. Amend, modify or reject the foregoing options.

Action: A motion was made by Commissioner Barth, seconded by Commissioner Holstine, and passed 7-0, to approve submittal of the report subject to completing the status of two action items on Pages A-8 (C-3A #2 – plant oak trees) and A-14 (Table PR-1 – develop a park at 26th and Oak Streets).

WRITTEN CORRESPONDENCE – None

COMMITTEE REPORTS

- 6. Development Review Committee Minutes (for approval):
 - a. January 28, 2013
 - b. February 4, 2013
 - c. February 11, 2013

Action: A motion was made by Commissioner Gregory, seconded by Commissioner Barth and passed 7-0, to approve the DRC minutes above as presented.

- 7. Other Committee Reports:
 - a. Parks & Recreation Advisory Committee: Commissioner Nash provided report.
 - b. Main Street Program: No report.
 - c. Airport Advisory Committee: Commissioner Garcia provided report.
 - d. Measure T Bond Oversight Committee: No report.

PLANNING COMMISSION MINUTES FOR APPROVAL

- 8. January 22, 2013

Action: A motion was made by Commissioner Holstine, seconded by Commissioner Garcia and passed 7-0, to approve the Planning Commission minutes above as presented.

REVIEW OF CITY COUNCIL MEETING

- 9.
 - a. February 5, 2013
 - b. February 19, 2013

Commissioner Garcia provided an overview of the February 5, 2013 meeting.
 Commissioner Gregory provided an overview of the February 19, 2013 meeting.

PLANNING COMMISSIONERS' COMMENTS

- Commissioner Gregory requested that the City install a crosswalk from the northwest corner of 6th and Park Streets to the Post Office.

STAFF COMMENTS - None

Any writing or document pertaining to an open session item on this agenda which is distributed to a majority of the Planning Commission after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review in the Community Development Department, 1000 Spring Street, Paso Robles, CA, during normal business hours, and may be posted on the City's web site at http://www.prcity.com/government/planning_commission/agendas.asp.

All persons desiring to speak on an agenda item are asked to fill out *Speaker Information Cards* and place them at the Staff Table prior to public discussion of that item. Each individual speaker will be limited to a presentation total of three (3) minutes per item.

AMERICANS WITH DISABILITIES ACT Any individual, who because of a disability needs special assistance to attend or participate in this meeting, may request assistance by contacting the City Clerk's Office (805) 237-3960. Whenever possible, requests should be made four (4) working days in advance of the meeting.

ADJOURNMENT to the League of California Cities Planning Commissioners Academy from Wednesday, February 27 to Friday, March 1, 2013 at the Hilton Pasadena, 168 South Los Robles Avenue, Pasadena, CA 91101;

subsequent adjournment to the Development Review Committee Meeting of Monday, March 4, 2013 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the City Council Meeting of Tuesday, March 5, 2013 at 7:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the City Council Goal-Setting Session on Saturday, March 9, 2013 at 9:00 am at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the Development Review Committee Meeting of Monday, March 11, 2013 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the Planning Commission Meeting of Tuesday, March 12, 2013 at 7:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446.

THESE MINUTES ARE NEITHER OFFICIAL NOR ARE THEY A PERMANENT PART OF THE RECORD UNTIL APPROVED BY THE PLANNING COMMISSION AT THEIR NEXT REGULAR MEETING.