



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

PLANNING COMMISSION MINUTES

May 23, 2017

6:30 P.M.

Planning Commissioners Roll Call:

Present: Davis, Agredano, Donaldson, Jorgensen, and Rollins.

Absent: Barth and Brennan

6:30 P.M.: Planning Commission Meeting called to order

General Public Comments Regarding Matters Not On The Agenda: None

Staff Briefing: None

Agenda Items Proposed to be Tabled or Re-Scheduled: None

Public Hearings

1. Conditional Use Permit (CUP) 17-005 - Central Coast Casino Card Room

1144 Black Oak Drive/ APN 008-051-023

Applicant – Paso Robles Central Coast Casino, Inc. dba Paso Robles Cardroom.

A request to establish a State licensed Card Room with six (6) tables at 1144 Black Oak Drive. Approval of this application will result in the relocation of the existing card room with six (6) tables, Paso Robles Casino, from their current location at 1124 Black Oak Drive.

Open Public Comment

Speakers: None

Closed Public Comment.

Action:

- A.** A motion was made by Commissioner Rollins, seconded by Commissioner Agredano and passed 4-1-2 (Noes: Commissioner Donaldson, Absent: Commissioners Barth and Brennan) to approve Resolution A with changes (See Attachment 1).

2. **A Planned Development 12-006 Amendment Firestone Brewery – Cold Block 4 and Pipe Bridge**

1400 Ramada Dr. / APN: 009-633-032 and 034

Applicant – Firestone Walker Brewery

Demolition of an existing building and construction of a 6,300 sf “Cold Block 4” brewery cellar/tank building and twelve (12) 65-foot tall, 15-foot diameter fermentation storage tanks with an overhead pipe bridge structure crossing Vendels Circle Project.

Open Public Comment

Speakers: Adam Firestone - Applicant

Closed Public Comment.

Action:

- A. A motion was made by Commissioner Rollins, seconded by Commissioner Agredano and passed 5-0-2 (Absent: Commissioners Barth and Brennan) to approve Resolution A.
- B. A motion was made by Commissioner Rollins, seconded by Commissioner Agredano and passed 5-0-2 (Absent: Commissioners Barth and Brennan) to approve Resolution B.

3. **Zoning Code Amendment 17-001, Planned Development 17-003, and Conditional Use Permit 17-007: Paso Market Place Mixed Use Specialty Retail**

1803 Spring Street / APNs 008-234-007, -008, and -009

Applicant – Deborah Longo

A request to develop “Paso Market Place” a 15,669 sf mixed-use development project consisting of a restaurant, specialty retail and six (6) second floor residential units.

Open Public Comment

Speakers: Jeff Renick
Paul Netty
Guy Drummond

Closed Public Comment.

Action:

- A. A motion was made by Commissioner Rollins, seconded by Commissioner Agredano and passed 5-0-2 (Absent: Commissioners Barth and Brennan) to approve Resolution A, with changes (See Attachment 2).
- B. A motion was made by Commissioner Rollins, seconded by Commissioner Agredano and passed 5-0-2 (Absent: Commissioners Barth and Brennan) to approve Resolution B, with changes (See Attachment 3).
- C. A motion was made by Commissioner Rollins, seconded by Commissioner Agredano and passed 5-0-2 (Absent: Commissioners Barth and Brennan) to approve Resolution C, with changes (See Attachment 4).

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Other Scheduled Matters: None

Consent Calendar

4. Development Review Committee Minutes (for approval)

April 17, 2017
April 24, 2017
May 1, 2017
May 8, 2017

5. Planning Commission Minutes (for approval)

May 9, 2017

Action:

- A. A motion was made by Commissioner Rollins, seconded by Commissioner Agredano and passed 5-0-2 (Absent: Commissioners Barth and Brennan) to Consent Items #4 & #5 as presented.

6. Other Committee Reports:

- a. Housing Constraints Advisory Committee: Director Report.
- b. Short-Term Rentals City manager's Task Force: Director Report.

Planning Commissioners' Comments

Staff Comments:

Director's Comments:

Regular Meeting Adjourned at: 9:15 PM

Attachment 1

Exhibit A

Project Conditions of Approval – CUP 17-005

Planning Division Conditions:

1. This Conditional Use Permit Amendment (CUP) authorizes the establishment of a card room operation and California Gambling Control Commission license for a six (6) table card room within the existing building at 1144 Black Oak Drive.
2. The businesses hours of operation are as follows: ~~seven (7) days a week, 11:00 AM to 2:00 AM.~~
 - a. Tuesday through Thursday from 11:00 AM to Midnight
 - b. Friday through Saturday from 11:00 AM to 2:00 AM
 - c. Sundays from 11:00 AM to Midnight
3. This project approval shall expire on May 24, 2019, if the use has not begun operation, or a time extension request has not been filed with the Community Development Department prior to expiration.
4. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Conditional Use Permit process, shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
5. Prior to the issuance of a building permit, the Development Review Committee shall approve the following:
 - a. Final site plan and architectural elevations;
 - b. Floor Plans;
 - c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments.
 - d. Landscape Replanting Plan
 - e. Lighting Plan (no glare / down lighting fixtures required)
 - f. Surveillance Plan
6. A sign application shall be submitted and reviewed by the Development Review Committee prior to approval and installation of any business signs.
7. Prior to occupancy, the applicant shall install, operate and maintain an interior and exterior Surveillance Plan utilizing video cameras during all hours of business operation, to the satisfaction of the Chief of Police.
 - a. Video surveillance footage shall be archived and available for up to seven (7) days after the footage is recorded.
8. Prior to occupancy, the applicant shall install, operate and maintain an interior and exterior Lighting Plan during evening hours of business operation, to the satisfaction of the Chief of Police.

Attachment 1

9. The applicant shall ensure that a uniformed security guard is employed during all hours as specified by the Chief of Police during business operation. Said uniformed security guard shall escort business customers to their vehicles upon request by customers.
10. This Conditional Use Permit application shall be reviewed by the Chief of Police annually to determine if this business has resulted in security/police incidents of concern to the Police Department. If the Chief of Police determines that this business may be resulting in detrimental security and safety issues then the Conditional Use Permit shall be reconsidered by the Planning Commission to determine if the business and Conditional Use Permit should be revoked.
11. Any site specific 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.

DRAFT RESOLUTION PC 17-xxx

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF PASO ROBLES
RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE
DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE PASO MARKET PLACE
(ZONE CHANGE 17-001, PLANNED DEVELOPMENT 17-003,
AND CONDITIONAL USE PERMIT 17-007)
1803 SPRING STREET, APN: 008-234-007, 008 & 009
APPLICANT – DEBORAH LONGO**

WHEREAS, McShane Murane of Project M+, on behalf of Deborah Longo, has submitted applications for the Paso Market Place project for PD 17-003 and CUP 17-007 to construct and operate a 16,597 sf mixed-use development project, including a restaurant, specialty retail and residential uses; and

WHEREAS, the project is proposed to be located on the site at 1803 Spring Street, the block between 18th and 19th Streets, on the west side of Spring Street; and

WHEREAS, in conjunction with the PD & CUP a request is being made to amend the Uptown Town Centre Specific Plan to allow for specialty retail uses and allow for the Flex Shed building type in the T3-F zoning district; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), Public Resources Code, Section 21000, et seq., and the City's Procedures for Implementing CEQA, an Initial Study and a Draft Mitigated Negative Declaration (MND) was prepared and circulated for a 20-day public review period beginning on May 18, 2017 through June 6, 2017. No public comments were received on the MND prior to the Planning Commission meeting, a copy of the Draft MND/Initial Study is included in Exhibit A (Attachment 4 of the project staff report) of this Resolution, and it is on file at the Paso Robles Community Development Department; and

WHEREAS, mitigation measures have been incorporated into the MND and will be imposed on the project through the City's adoption of a Mitigation Monitoring and Reporting Program (MMRP) in compliance with CEQA Guideline 15074(d). These mitigation measures are imposed on the project to address potential environmental effects from: cultural resources. With the implementation of this mitigation, all potential environmental effects will be reduced to a less than significant level. These mitigation measures are provided in Exhibit B, "Mitigation Monitoring and Reporting Program" attached to this Resolution; and

WHEREAS, mitigation measures set forth in the MMRP are specific and enforceable. The MMRP adequately describes implementation procedures, monitoring responsibility, reporting actions, compliance schedule, and verification of compliance in order to ensure that the Project complies with the adopted mitigation measures; and

WHEREAS, the mitigation measures contained in the MMRP will also be imposed as enforceable conditions of approval; and

WHEREAS, the applicant has executed a Mitigation Agreement whereby the applicant has agreed to incorporate all of the mitigation measures listed in Exhibit B into the project. A copy of the executed Mitigation Agreement is on file in the Community Development Department; and

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WHEREAS, public notice of the proposed Draft MND was posted as required by Section 21092 of the Public Resources Code; and

WHEREAS, a public hearing was conducted by the Planning Commission on May 23, 2017 to consider the Initial Study and the draft MND prepared for the proposed project, and to accept public testimony on the Planned Development, Conditional Use Permit, Vesting Tentative Tract Map, Oak Tree Removal, and environmental determination, at the close of this public hearing, the Planning Commission recommended adoption of the MND and approval of the proposed project to the City Council; and

WHEREAS, based on the information and analysis contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the Planning Commission finds that there is no substantial evidence supporting a fair argument that there would be a significant impact on the environment with mitigation measures imposed on the project; and

WHEREAS, pursuant to CEQA the Planning Commission has independently reviewed the Initial Study, the Mitigated Negative Declaration, and all comments received regarding the Mitigated Negative Declaration, and based on the whole record before it finds that the Mitigated Negative Declaration was prepared in compliance with CEQA and the CEQA Guidelines, that there is no substantial evidence that the Project will have a significant effect on the environment with the incorporation of mitigation, and the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission of the City of El Paso de Robles, based on its independent judgment and analysis, recommends the City Council adopt the Mitigated Negative Declaration (Exhibit A) for the Paso Market Place project and adopts a Mitigation Monitoring and Reporting Program (Exhibit B), and imposes each mitigation measure as a condition of approval, in accordance with the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA.

PASSED AND ADOPTED THIS 23RD day of May, 2017, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

JOHN DONALDSON, CHAIRPERSON

ATTEST:

WARREN FRACE, SECRETARY OF THE PLANNING COMMISSION

Exhibits:

- A. Exhibit A – Mitigated Negative Declaration / Initial Study (refer to Attachment 7 of the Planning Commission staff report)
- B. Exhibit B – Mitigation Monitoring and Reporting Program

Attachment 3

DRAFT RESOLUTION PC-17-XXX

**A RESOLUTION OF THE CITY OF EL PASO DE ROBLES
PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL
APPROVE ZONE CHANGE 17-001 AMENDING THE MUNICIPAL CODE
(UPTOWN TOWN CENTRE SPECIFIC PLAN)
REGARDING SPECIALTY RETAIL AND FLEX SHED BUILDINGS IN THE T3-F ZONE
(PASO MARKET PLACE – 1803 SPRING STREET)**

WHEREAS, McShane Murane of M+, on behalf of Deborah Longo, has submitted applications for the Paso Market Place project for PD 17-003 and CUP 17-007 to construct and operate a 16,597 sf mixed-use development project, including a restaurant, specialty retail and residential uses; and

WHEREAS, the project is proposed to be located on the site at 1803 Spring Street; and

WHEREAS, in conjunction with the PD17-003 & CUP 17-007, Zone Change 17-001 has been filed requesting to amend the Uptown Town Centre Specific Plan to allow for specialty retail uses and allow for the Flex Shed building type in the T3-F zoning district; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the proposed Zoning Ordinance amendment on May 23, 2017, where it considered the staff report and public testimony; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RECOMMEND TO THE CITY COUNCIL THE FOLLOWING:

Section 1. Recitals. The recitals set forth above are true and correct and are incorporated as though fully set forth herein.

Section 2. Environmental Determination. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study and Mitigated Negative Declaration (ND) was prepared and circulated for public review and comment. Based on the information and analysis contained in the Initial Study (and comments and responses thereto), a determination has been made that the project may be approved with a Negative Declaration.

Section 3. Findings: based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings:

1. The proposed specific plan amendment is consistent with the goals and policies established by the General Plan, since the project would provide for expanded retail and infill development in the Downtown, and additional tourist-oriented development.
2. The proposed specific plan amendment is consistent with goals and vision of the Uptown/Town Center Specific Plan since it would help preserve and augment Downtown's unique historical value while enhancing its economic vitality.

Section 4. Uptown / Town Center Specific Plan Amendment. Table 5.3-1, Section 5.4.2.B and Table 5.1.1 are to be amended to the Uptown Town Centre Specific Plan to read in full as set forth in Exhibit A, Exhibit B, and Exhibit C, incorporated by this reference.

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Passed and approved by the Planning Commission of the City of El Paso de Robles on the 23rd day of May, 2017 by the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

John Donaldson, Chairperson

ATTEST:

Warren Frace, Secretary

Exhibit A Table 5.3-1
Exhibit B Section 5.4.2.B
Exhibit C Table 5.1.1

Attachment 4

DRAFT RESOLUTION PC 17-xxx

**A RESOLUTION OF THE CITY OF EL PASO DE ROBLES
PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL
APPROVE PLANNED DEVELOPMENT 17-003 AND
CONDITIONAL USE PERMIT 17-007
FOR A SPECIALTY RETAIL DEVELOPMENT IN T3-F ZONE
(PASO MARKET PLACE – 1803 SPRING STREET)**

WHEREAS, McShane Murane of M+, on behalf of Deborah Longo, has submitted applications for the Paso Market Place project for PD 17-003 and CUP 17-007 to construct and operate a 16,597 sf mixed-use development project, including a restaurant, specialty retail and residential uses; and

WHEREAS, the project is proposed to be located on the site at 1803 Spring Street; and

WHEREAS, the existing historic residential structure located on the southeast corner of the site is proposed to remain and be re-purposed as a restaurant; and

WHEREAS, in accordance with the City's Historic Preservation Ordinance, a condition of approval has been added to the project that requires the applicant to submit for a Certificate of Appropriateness, which will require that the City Council based on specific findings in the ordinance that all exterior work proposed for this building would be in keeping with the Secretary of the Interior's Standards for Rehabilitation; and

WHEREAS, in conjunction with the PD & CUP a request is being made to amend the Uptown Town Centre Specific Plan to allow for specialty retail uses and allow for the Flex Shed building type in the T3-F zoning district; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared for the project; and

WHEREAS, based on the information and analysis contained in the Initial Study, staff determined that the proposed project as designed, and with appropriate mitigation measures added as conditions of approval, will not result in significant environmental impacts, and a Mitigated Negative Declaration was prepared and circulated for public review and comment in full compliance with CEQA; and

WHEREAS, a duly noticed public hearing was conducted by the Planning Commission on May 23, 2017, on this project to accept public testimony on the Mitigated Negative Declaration and the proposed project; and

WHEREAS, a resolution was adopted by the Planning Commission recommending to the City Council approval of a Mitigated Negative Declaration status for this project, and a Mitigated Negative Declaration was prepared for the proposed Planned Development application in accordance with the California Environmental Quality Act; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

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Section 2 - Findings: based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings:

1. The project is consistent with the goals and policies established by the General Plan, since the project would provide for expanded retail and infill development in the Downtown, and additional tourist-oriented development.
2. The project is consistent with and supports the intent of the Uptown/Town Center Specific Plan as amended since it would help preserve and augment Downtown's unique historical value while enhancing its economic vitality.
3. The project is a "conditional" use in the T-3F Zone in the Uptown/Town Center Specific Plan (UTCSP), and complies with all applicable development standards in the UTCSP and Zoning Ordinance.
4. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and
5. The proposed development plan accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors; and the public right-of-way; based on the residential scale of the project along with a use of a mixture of quality materials, and
6. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts, since the mixed use project based on the proposed industrial style of architecture and preservation of the oak trees; and
7. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc.; and
8. The proposed development plan contributes to the orderly development of the City as a whole; and
9. The proposed development plan as conditioned would meet the intent of the General Plan and Zoning Ordinance by providing flexible uses that preserve the existing residential character, while allowing for higher residential densities and a more diverse use mix; and

Section 3. Recommendation. The Planning Commission of the City of El Paso de Robles does hereby recommend that the City Council approve of Planned Development 17-003 and Conditional Use Permit 17-007, subject to the following conditions

1. Exhibit A-1: Project Specific Conditions of Approval,
2. Exhibit A-2: Standard Conditions of Approval,
3. Exhibits B-R: Plans and Exhibits

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PASSED AND ADOPTED THIS 23rd day of May, 2017 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Donaldson, Chairperson

ATTEST:

Warren Frace, Secretary of the Planning Commission

Exhibit A-1: Conditions of Approval

Planning Division Conditions:

4. This project shall comply with the checked standard Conditions of Approval, attached hereto as Exhibit "A" and incorporated herein by reference.

NOTE: In the event of conflict or duplication between standard and site-specific conditions, the site-specific condition shall supersede the standard condition.

5. The project shall be constructed in substantial conformance with the Conditions of Approval established by this Resolution and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBITS	DESCRIPTION
A-2.	Standard Conditions of Approval (Refer to Ex. A of Reso. B – Tract Res.)
B.	Survey / Project Description
C.	Demo Plan
D.	Site Plan
E.	Drainage Plan
F.	Storm Water Plan
G.	Landscape Plan
H.	First Floor Plan
I.	Second Floor Plan
J.	Exterior Elev.
K	Ext. Elev. Area A
L	Ext. Elev. Area B
M	Ext. Elev. Area C
N	Ext. Elev. Area D
O	Ext. Elev. Area E
P	Site Sections
Q	Interior Rendering – Market
R	Arborist Report

6. PD 17-003 and CUP 17-007 is approved to establish a 16,597 sf mixed-use development project. The project includes restaurant, specialty retail, and residential uses, as follows:

Building A – Restaurant - 1,200 sf

Building B – Retail and 3 residences – 4,080 sf

Building C – Retail, café – 1,162 sf

Building D – Retail - 3,653 sf with a 975 sf mezzanine

Building E – Bar/outdoor seating, retail, 3 residences – 4,660 building sf, and 1,150 patio sf

The project shall be designed and constructed to be in substantial conformance with Exhibits A-R, listed above and approved with this resolution.

7. Approval of this project is valid for a period of two (2) years from date of approval. Unless construction permits have been issued and site work has begun, the approval of Planned Development 17-003 and Conditional Use Permit 17-007 shall expire on _____. The Planning Commission may extend this expiration date if a Time Extension application has been filed with the City along with the fees before the expiration date.

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8. In the event that there is a use requested to be established in one of the buildings that is different from the uses listed above, as long as the use is listed as a permitted use in Table 5.5-1 of the Uptown Town Centre Specific Plan it may be established.
9. Prior to the issuance of a building permit, the Development Review Committee (DRC) shall review the following items to insure substantial compliance with the above listed Exhibits:
 - Final site details such as landscaping, decorative paving, benches, exterior lighting/shielding and any other site planning details
 - Architectural elevations, including final materials, colors and details
 - Equipment such as back flow devices, transformers, a/c condensers and appropriate screening methods for both views and noise
 - Final grading and drainage plans
 - Sign Program for the project
10. In accordance with the City's Historic Preservation Ordinance, the applicant shall obtain a Certificate of Appropriateness, approved by the City Council, prior to issuance of building permit(s) for exterior rehabilitation and breezeway and kitchen addition building for the existing historic building located 1803 Spring Street.
11. Prior to the issuance of a grading permit, the Project Arborist shall provide an Oak Tree Preservation plan outlining the preservation requirements for the project along with the monitoring schedule. The Arborist preservation measures shall be provided for along with Arborist signature on the Grading Plan.
12. Deliveries to and from the project from the alley, shall be limited to 7am to 7pm.
13. This CUP/PD does not allow amplified music beyond background music within buildings through a house music system or live music that is accessory to the business/use. One night per week, outdoor movies along with the necessary sound system may be shown for the patrons of the facility. The movie shall end by 10:00pm.

Engineering Division Conditions:

14. A Stormwater Control Plan needs to be submitted with the grading plan for the project.
15. Details for screening the double check valve assembly on the fire line need to be provided, and shall be located on the project site so that it is screened from view.
16. Curb, gutter, tree wells and sidewalk on Spring St, 18th St. and 19th St. must be reconstructed as determined by the City Engineer. The sidewalk shall be scored with a uniform 5 ft x 5 ft square pattern.
17. Street trees with decorative grates (City Std. C-4) shall be placed in tree wells 40 feet on center on Spring St, 18th St. and 19th St. Street tree species shall be approved by the Community Service Department and installed per City Std L-3.
18. Decorative street lights on black fluted poles, owned and maintained by PG&E, shall be placed in 80 feet on center on Spring St, 18th St. and 19th St. Street light standard to be approved by City Engineer.