



CITY OF EL PASO DE ROBLES
"The Pass of the Oaks"

PLANNING COMMISSION AGENDA

September 25, 2012
7:30 P.M.

MEETING LOCATION:
PASO ROBLES CITY HALL/LIBRARY CONFERENCE CENTER
1000 SPRING STREET
PASO ROBLES, CALIFORNIA 93446

PLANNING COMMISSION

AL GARCIA
CHAIRMAN

DOUG BARTH
COMMISSIONER

STEVE GREGORY
COMMISSIONER

MARGARET HOLSTINE
COMMISSIONER

JOEL PETERSON
CHAIRMAN PRO-TEM

CHARLES TREATCH
COMMISSIONER

VINCE VANDERLIP
COMMISSIONER

CITY STAFF

ED GALLAGHER
COMMUNITY DEVELOPMENT DIRECTOR

SUSAN DECARLI, AICP
CITY PLANNER

DARREN NASH
ASSOCIATE PLANNER

JOHN FALKENSTIEN, P.E.
CITY ENGINEER

DITAS ESPERANZA, P.E.
CAPITAL PROJECTS ENGINEER

DOUG MONN
PUBLIC WORKS DIRECTOR

LEGAL COUNSEL

IRIS YANG
CITY ATTORNEY

JON SEITZ
DEPUTY CITY ATTORNEY

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

STAFF INTRODUCTIONS

PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA

STAFF BRIEFING

AGENDA ITEMS PROPOSED TO BE TABLED OR RE-SCHEDULED Item No. 1 is proposed to be opened and continued to the Planning Commission meeting of January 8, 2013.

PRESENTATIONS

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

This item is proposed to be opened and continued to the Planning Commission meeting of January 8, 2013.

1. **Planned Development 12-005, Rezone 12-003 and Specific Plan Amendment 12-003 – Buena Vista Apartments-Arjun**
E. Gallagher, Community Development Director

For the Planning Commission to consider an application filed by Don Benson on behalf of Arjun Buena Vista Properties, LLC, proposing the following applications:

- **Rezone 12-003:** to change the existing R1-B4 (Residential Single-Family, 1 acre lot) zoning designation to R3 (Residential Multifamily 12-units per acre). The rezone to R3 would bring the zoning designation into compliance with the existing General Plan Land Use designation (RMF-12);
- **Specific Plan Amendment 12-003:** to amend the Borkey Area Specific Plan (BASP) to accommodate the multi-family residential project, and establish updated Specific Plan fees;
- **Development Plan 12-005:** development plan to review the project site planning, architectural design and details, and landscaping.

Options:

- a. Continue the public hearing to the Planning Commission hearing on January 8, 2013.
- b. Amend, modify, or reject the above-listed action.

ROLL CALL VOTE

OTHER SCHEDULED MATTERS -- NONE

WRITTEN CORRESPONDENCE -- NONE

COMMITTEE REPORTS

- 2. Development Review Committee Minutes (for approval):
 - a. August 20, 2012
 - b. August 27, 2012
 - c. September 9, 2012
 - d. September 17, 2012

- 3. Other Committee Reports:
 - a. Parks & Recreation Advisory Committee:
 - b. Main Street Program:
 - c. Airport Advisory Committee:
 - d. Measure T Bond Oversight Committee:

PLANNING COMMISSION MINUTES FOR APPROVAL

4. September 11, 2012

REVIEW OF CITY COUNCIL MEETING

5. September 18, 2012

PLANNING COMMISSIONERS' COMMENTS

STAFF COMMENTS

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 Development Review Committee Meeting of Monday, October 1, 2012 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, October 2, 2012 at 7:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the Development Review Committee Meeting of Monday, October 8, 2012 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, October 9, 2012 at 7:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446.

Planning Related Appeal Process

Decisions or determinations by the City's staff, Development Review Committee (DRC) or Planning Commission can be appealed by any interested person (applicant, neighbor, public official, or other interested party). The appeal process is described by Chapter 21.23.A of the City's Municipal Code, and is summarized as follows:

- a. An appeal of a staff determination or interpretation will be heard by the Planning Commission. There is no charge to the appealing party.
- b. The DRC is a subcommittee of the Planning Commission. Their role is to review design details as outlined in Chapter 21.23 B of the Municipal Code. Any decision, determination or recommendation of the DRC may be appealed to the full Planning Commission. There is no charge to the appealing party. In the absence of an appeal to the City Council, the Planning Commission is the final authority on Lot Line Adjustments, Parcel and Subdivision Maps, Conditional Use Permits, Planned Developments, design details and Zoning Code interpretations. Decisions and determinations by the Planning Commission are appeal able to the City Council. Appeals to the City Council require a \$200 fee deposit to be applied toward actual City costs to prepare the appeal (staff time to prepare a report that adequately responds to the appeal, report printing, and required public notices), as adopted by City Council Resolution No. 06-128. Appellants are hereby notified that the actual cost of an appeal may exceed the \$200 deposit and that they will be billed for any additional amounts necessary to cover actual City costs.

When must an appeal be filed?

An appeal must be filed within fifteen (15) calendar days of the decision. Upon receipt of an appeal, the matter will be scheduled for consideration before the appeal body as soon as feasible. Appeal applications can be obtained from the City's website at www.prcity.com, anyone in the Community Development Department or by calling (805) 237-3970.

What is the effect of filing an appeal?

If an appeal is filed, the body considering the appeal will consider the request as if it were a new application. Opportunities will be provided for all interested parties to speak and/or provide evidence to support approval or denial of the appeal.

There is no penalty for filing an appeal. The City cannot and will not penalize anyone for filing an appeal. Each application for a land use or other entitlement is handled on a "first-come-first- served" basis. (The City keeps a "log" of applications filed, and any of the public is welcome to confirm the order of processing for each application.)

How Can I Get More Information on Appeals?

Please check the City's website at www.prcity.com, call the Community Development Department at (805) 237-3970, or stop by City Hall at 1000 Spring Street, Paso Robles, CA 93446.