

**PLANNING COMMISSION
MINUTES**

February 27, 2007

PLANNING COMMISSIONERS PRESENT: Flynn, Holstine, Johnson, Menath, Steinbeck, Treach

ABSENT: Withers

PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA: Ron Berry; citizen complaint regarding new Sunset Car Wash at 709 – 9th Street. Included concerns for drainage, parking, handicap parking, noise and increased traffic.

STAFF BRIEFING: No briefing given.

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

The following item is a Continued Open Public Hearing from the Planning Commission Meeting of February 13, 2007.

- 1. FILE #: **PLANNED DEVELOPMENT 05-008 AND
CONDITIONAL USE PERMIT 06-003**
- APPLICATION: To consider a request to construct an approximate 56,000 square foot, three-story office building with residential units and underground parking. Of the 56,000 square feet, approximately 30,000 square feet would be office/residential uses and 26,000 square feet would be covered parking.
- APPLICANT: Pults & Associates on behalf of Frank Arciero, Falling Star Homes, Inc.
- LOCATION: 1344 Oak Street

Continued Open Public Hearing.

Public Testimony: In favor: Tim Woodle, applicant representative, requesting continuance

Opposed: None

Neither in favor nor opposed but expressing comments: Kathy Barnett

Action: A motion was made by Commissioner Steinbeck, seconded by Commissioner Menath, and passed 6-0-1, (Commissioner Withers absent), to continue Planned Development 05-008 and Conditional Use Permit 06-003 to date uncertain and to renote the neighborhood of the revised project when it is ready to go forward.

The following item is a continued Open Public Hearing from the Planning Commission Meeting of Tuesday, January 23, 2007.

- 2. FILE #: **CONDITIONAL USE PERMIT 06-006**
- APPLICATION: To consider a request to establish the ability to have live amplified music and dancing as an accessory to the existing restaurant. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
- APPLICANT: Ruth Florence on behalf of the 7 Puertos Restaurant
- LOCATION: 1144 Black Oak Drive

Opened Public Hearing.

Public Testimony: In favor: Terry Webb, property owner
Opposed: None

Closed Public Hearing.

Action: A motion was made by Commissioner Treach, seconded by Commissioner Steinbeck, and passed 6-0-1 (Commissioner Withers absent), to approve Conditional Use Permit 06-006 with modification to Condition No. 7 providing for private security guards to be onsite during the hours of operation when entertainment is occurring and at least one hour after the conclusion of entertainment.

3. **FILE #:** **CONDITIONAL USE PERMIT 06-008**
APPLICATION: To consider a request to install a 50-foot tall highway oriented sign. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject applications.
APPLICANT: Vincent & Murphy, Inc., on behalf of Brent Flynn
LOCATION: The existing Taco Bell restaurant located at 1107 24th Street

Opened Public Hearing.

Public Testimony: In favor: Brent Flynn, applicant/business owner
Matt Masia
Opposed: Kathy Barnett

Closed Public Hearing.

Action: A motion was made by Commissioner Steinbeck, seconded by Commissioner Johnson, and tied on a 3-3-1 vote (Commissioners Menath, Treach and Flynn opposed, Commissioner Withers absent), to approve Conditional Use Permit 06-008 as presented.

Action: A motion was made by Commissioner Treach, seconded by Commissioner Menath, and passed 6-0-1 (Commissioner Withers absent), to continue Conditional Use Permit 06-008 to the Planning Commission Meeting of Tuesday, March 13, 2007, in order to break the tie.

4. FILE #: **TENTATIVE PARCEL MAP PR 06-0236**
 APPLICATION: To consider a request to subdivide an existing 12,585 square foot R3 lot into four parcels. One new house would be constructed on each lot. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject applications.
 APPLICANT: Craig Smith Architects on behalf of Legacy Park Partners, LLC
 LOCATION: 2225 Park Street

Opened Public Hearing.

Public Testimony: In favor: Craig Smith, applicant architect
 Kathy Barnett
 Opposed: None

Closed Public Hearing.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Steinbeck, and passed 5-1-1 (Commissioner Menath opposed, Commissioner Withers absent), to approve Tentative Parcel Map PR 06-0236 as presented except that the alleyway doors shall go back to DRC for final approval.

5. FILE #: **PLANNED DEVELOPMENT 04-024**
 APPLICATION: To consider a request to construct a 120 room hotel and 20 cottage/hotel units in the Highway Commercial Planned Development (C-2 PD) zoning district. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
 APPLICANT: Lee Webb and Lee Monson
 LOCATION: 2805 Theatre Drive. (APNs 009-851-023 and -016)

Opened Public Hearing.

Public Testimony: In favor: Lee Monson, applicant
 Lee Webb, applicant
 Opposed: None

Closed Public Hearing.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Steinbeck, and passed 6-0-1 (Commissioner Withers absent), to approve the Negative Declaration for Planned Development 04-024 with modification.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Steinbeck, and passed 6-0-1 (Commissioner Withers absent), to approve Planned Development 04-024 with modification for dedicated linkage between the cottages and the hotel; the added condition limiting stays to 30 days or less; and removal of palm trees from the landscape plan.

6. FILE #: **PLANNED DEVELOPMENT 06-015 and REZONE 06-003**
APPLICATION: To consider a request to rezone the subject property from Residential Multi-Family (R3) to Commercial/Light Industrial Mixed-Use (C-3 M-U) to be consistent with the General Plan Land Use Designation of Commercial Service Mixed-Use (CS-MU), and to construct a mixed-use project with 7 apartment units and 1,240 s.f. of commercial area. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
APPLICANT: Sundance Enterprises
LOCATION: 1028 21st Street (APN 008-247-003)

Opened Public Hearing.

Public Testimony: In favor: Bob Clouston, property owner and business owner
Steven King, applicant architect
Joshua Yaguda

Opposed: None

Closed Public Hearing.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Steinbeck, and passed 5-1-1 (Commissioner Flynn opposed, Commissioner Withers absent), to approve a Negative Declaration for Planned Development 06-015 and Rezone 06-003 as presented.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Steinbeck, and tied 3-3-1 (Commissioners Holstine, Menath and Flynn opposed, Commissioner Withers absent), to recommend that the City Council approve Rezone 06-003 as presented.

Action: A motion was made by Commissioner Menath, seconded by Commissioner Treach, and passed 6-0-1 (Commissioner Withers absent), to continue the Open Public Hearing for Planned Development 06-015 and Rezone 06-003 to the Planning Commission Meeting of Tuesday, March 13, 2007 in order to break the tie.

OTHER SCHEDULED MATTERS

7. GENERAL PLAN ANNUAL REPORT

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Steinbeck, and passed 6-0-1 (Commissioner Withers absent), to recommend, by minute action, that the City Council approve submittal of the 2007 General Plan Annual Report to the Governor's Office of Planning and Research and to the Department of Housing and Community Development.

WRITTEN CORRESPONDENCE -- NONE

COMMITTEE REPORTS

- 8. Development Review Committee Minutes (for approval):
 - a. February 5, 2007
 - b. February 12, 2007

Action: A motion was made by Commissioner Menath, seconded by Commissioner Steinbeck, and passed 6-0-1 (Commissioner Withers absent), to approve the DRC Minutes listed above as presented.

- 9. Other Committee Reports:
 - a. Parks & Recreation Advisory Committee: Staff reported that there will be a Salinas River Corridor meeting on Wednesday, February 28, 2007 at 6:00 pm in Council Chambers
 - b. PAC (Project Area Committee): No meeting
 - c. Main Street Program: Commissioner Holstine reported on upcoming events
 - d. Airport Advisory Committee: No meeting
 - e. Measure T Bond Oversight Committee: Nothing to report

CDBG/REDEVELOPMENT AGENCY HOUSING PROGRAM STATUS REPORT

Ed Gallagher reported that the annual hearing is set for next Thursday, March 8, 2007 at 7:00 pm in Council Chambers.

PLANNING COMMISSION MINUTES FOR APPROVAL

10. February 13, 2007

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Flynn, and passed 6-0-1 (Commissioner Withers absent), to approve the Planning Commission Minutes of February 13, 2007 as presented.

REVIEW OF CITY COUNCIL MEETING

February 20, 2007

Commissioner Steinbeck provided a brief overview of the meeting.

PLANNING COMMISSIONERS' COMMENTS

- Commissioner Tretch wants to urge the PAC to look for money for affordable housing.
- Commissioner Steinbeck encourages the Planning Commission to not be afraid of density.
- Commissioner Johnson concurs with Commissioner Steinbeck.
- Commissioner Flynn asked about the O'Grady's remodel and commented on angled parking problems suggesting the City may want to establish a length limit similar to what they have done in Pacific Grove.
- Commissioner Holstine discussed the importance of design.

STAFF COMMENTS

Ron Whisenand confirmed who is attending the League of Cities Conference in San Diego from March 21 – 23, 2007. Attendees are Commissioners Johnson, Tretch and Holstine, Ron, and Darren Nash.

Ron Whisenand advised the Commission that Downtown Parking would be discussed at the City Council meeting of March 6, 2007.

He also advised the Commission that the Olsen Beechwood Specific Plan (OBSP) Decision Point will be discussed at the City Council meeting of March 20, 2007.

He further advised the Commission that many of the top goals of the City Council that will be addressed at the March 6, 2007 meeting include many planning programs and issues including:

- Town Centre Plan
- Uptown Specific Plan
- Downtown Parking and Circulation
- Encourage compact mixed use/pedestrian oriented development
- Streamlining the permit process
- Exploring form-based codes
- Historic preservation

ADJOURNMENT to the Development Review Committee Meeting of Monday, March 5, 2007 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the Development Review Committee Meeting of Monday, March 12, 2007 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 13, 2007, at 7:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446.

THESE MINUTES ARE NOT OFFICIAL NOR ARE THEY A PERMANENT PART OF THE RECORD UNTIL APPROVED BY THE PLANNING COMMISSION AT THEIR NEXT REGULAR MEETING.