

**PLANNING COMMISSION
MINUTES**

March 27, 2007

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

ABSENT: None

PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA: Ron Berry commented on car wash operations at 9th and Spring Streets.

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 March 13, 2007.

- 1. 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

Continued Open Public Hearing.

Public Testimony: In favor: Brent Flynn, applicant

Opposed: Kathy Barnett

Neither in favor nor opposed but commenting: Tom Hardwick
Ron Berry

Closed Public Hearing.

Public Testimony: A motion was made by Commissioner Withers, seconded by Commissioner Menath, and passed 5-2 (Commissioners Holstine and Johnson opposed), to deny Conditional Use Permit 06-008 based on additional findings.

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

- 2. FILE #: **PLANNED DEVELOPMENT 06-020 AND VESTING TENTATIVE TRACT MAP 2904**
- APPLICATION: To consider a request to construct a 9-unit “live/work” condominium project that is intended to include commercial and residential uses. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
- APPLICANT: Ostrander
- LOCATION: 721 – 731 Pine Street

Continued Open Public Hearing.

Public Testimony: In favor: Bill Ostrander, applicant
Ron Monello
Tracy Willey
Nick Gilman
Didier Cop
Joel Peterson
Kathy Barnett
Bob Fonarow
Tim DeSanto, applicant architect
Brenda Ostrander
Carol Shriver
Robert Gilson

Opposed: John McCarthy

Neither in favor nor
opposed but commenting: Jim Toomer
Tom Hardwick

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Menath, and passed 7-0 to approve Planned Development 06-020 and Vesting Tentative Tract Map 2904 with an added condition for the applicant to pay in-lieu parking fees for 7 spaces and to not object to the future formation of a maintenance district. Also awning approval is referred back to DRC.

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

- 3. FILE #: **PLANNED DEVELOPMENT 06-012 and
CONDITIONAL USE PERMIT 07-005**
- APPLICATION: To consider a request to construct to construct a private Tennis/Swim in two development phases. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
- APPLICANT: McCarthy Engineering on behalf of Kim Walker
- LOCATION: Union Road, across from Barney Schwartz Park

Continued Open Public Hearing.

Public Testimony: In favor: John McCarthy, applicant representative
Opposed: None

Closed Public Hearing.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Treach, and passed 7-0, to approve a Negative Declaration for Planned Development 06-012 and Conditional Use Permit 07-005 as presented.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Withers, and passed 7-0, to approve Planned Development 06-012 with modification to Engineering Site Specific Conditions No. 11, deleting the requirement for a water quality control basin to be constructed north of the parking area.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Treach, and passed 7-0, to approve Conditional Use Permit 07-005 as presented.

4. FILE #: **TENTATIVE PARCEL MAP PR 06-0165**
APPLICATION: To consider a request to subdivide an existing 7,000 square foot R3 lot into three parcels. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
APPLICANT: Clark Baird
LOCATION: 1912 Park Street

Opened Public Hearing.

Public Testimony: In favor: Clark Baird, applicant
Opposed: None

Closed Public Hearing.

Action: A motion was made by Commissioner Steinbeck, seconded by Commissioner Johnson, and passed 7-0, to approve Tentative Parcel Map 06-0165 with the added requirement that windows be added to the garage elevation.

5. FILE #: **PLANNED DEVELOPMENT 06-009 and TENTATIVE TRACT 2889**
 APPLICATION: To consider a request to construct a 3-story mixed use development including 6 residences, 1,280 square feet of office space and 2,600 square feet of restaurant space. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
 APPLICANT: Chris Madson
 LOCATION: 745 Park Street

Opened Public Hearing.

Public Testimony: In favor: Jim Dummit, applicant representative

Opposed: None

Neither in favor nor
 opposed but commenting: Jim Toomer

Action: A motion was made by Commissioner Withers, seconded by Commissioner Treach, and passed 7-0, to approve Planned Development 06-009 with changes to Conditions No. 3 and 27 and to deny the parking exception and allow in-lieu fees to be paid.

Action: A motion was made by Commissioner Withers, seconded by Commissioner Treach, and passed 7-0 to approve Tentative Tract 2889 as presented.

6. FILE #: **CONDITIONAL USE PERMIT 07-001**
 APPLICATION: To consider a request to establish the ability to have 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: Timothy Hodge oh behalf of Downtown Brew, LLC
 LOCATION: 1108 Pine Street

Opened Public Hearing.

Public Testimony: In favor: Tom Hodge, part-owner
John Roush
Darren Smith, applicant representative

Opposed: Robert Gilson

Neither in favor nor
opposed but commenting: Gary Nemeth

Closed Public Hearing.

Action: A motion was made by Commissioner Flynn, seconded by Commissioner Steinbeck, and passed 5-2 (Commissioners Menath and Withers opposed), to approve Conditional Use Permit 07-001 subject to Planning Commission review 3 months after the use is established and restricting the music to a 12:00 midnight cutoff allowed on Friday, Saturday and Sunday nights and national holidays and with a sound mitigation plan to be prepared and implemented prior to commencement of night club operations to the satisfaction of the Community Development Director.

7. FILE #: **CONDITIONAL USE PERMIT 06-010**
APPLICATION: To consider a request to construct an
automotive repair center on a C3
(Commercial/Light Manufacturing) zoned
property. The Planning Commission will
also be considering the content and potential
application of any conditions of approval
that relate to the subject applications.
APPLICANT: CMR Properties, LLC
LOCATION: 12th & Paso Robles Streets (APN: 009-051-014)

Opened Public Hearing.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Flynn, and passed 7-0 to continue Conditional Use Permit 06-010 to date uncertain, at the request of the applicant.

8. FILE #: **CODE AMENDMENT 07-002**
APPLICATION: To add the definition of the term Transient
Occupancy to the Zoning Ordinance. The
definition of Transient Occupancy shall
include identifying the time limits for

transient occupants as it applies to a range of occupancies including hotels, motels, vacation rentals, timeshares, villas, casitas, cottages, and other types of lodging.

APPLICANT: City initiated
LOCATION: Citywide

Opened Public Hearing.

Public Testimony: No public testimony given either in favor or opposed, however, the following asked questions or expressed concerns:

Ann Quinn
John McCarthy
Ken Mundee
Bill Mundee

Action: A motion was made by Commissioner Withers, seconded by Commissioner Treatch, and passed 6-1 (Commissioner Johnson opposed), to continue Code Amendment 07-002 to date uncertain.

OTHER SCHEDULED MATTERS

9. FILE #: **SITE PLAN 07-001**
APPLICATION: To consider allowing the installation a multi-tenant monument sign.
APPLICANT: Harris Family
LOCATION: Northeast corner of 13th and Pine Streets

Public Comment: John McCarthy, applicant representative

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Menath, and passed 7-0 to approve Site Plan 07-001 as presented.

WRITTEN CORRESPONDENCE -- NONE

COMMITTEE REPORTS

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

Action: A motion was made by Commissioner Holstine, seconded by Commissioner Johnson, and passed 7-0 to approve the DRC Minutes listed above as presented.

- 11. Other Committee Reports:
 - a. Parks & Recreation Advisory Committee: There was no meeting but the River Walk that took place last weekend was discussed.
 - b. PAC (Project Area Committee): No meeting
 - c. Main Street Program: Commissioner Holstine discussed upcoming activities.
 - d. Airport Advisory Committee: Commissioner Treach provided an update to last weeks meeting.
 - e. Measure T Bond Oversight Committee: Commissioner Withers provided an update of the Committees discussion of priorities.

CDBG/REDEVELOPMENT AGENCY HOUSING PROGRAM STATUS REPORT

Ron Whisenand reported that all programs are progressing on schedule.

PLANNING COMMISSION MINUTES FOR APPROVAL

- 12. March 13, 2007

Action: A motion was made by Commissioner Steinbeck, seconded by Commissioner Flynn, and passed 6-1 (Commissioner Holstine refrained), to approve the Planning Commission minutes for March 13, 2007 as presented.

REVIEW OF CITY COUNCIL MEETING

March 20, 2007

Susan DeCarli provided an update of the status of the Olsen Beechwood Specific Plan.

PLANNING COMMISSIONERS' COMMENTS

- Commissioner Withers stated that she will be absent from both of the Planning Commission meetings in April. She will be here for the DRC Meeting on April 16th.
- Commissioner Johnson provided an update on the Planner's Institute which he attended last week. He also asked about the Flamson School grading stockpile.

STAFF COMMENTS

- Ron Whisenand provided more information on the Planner's Institute conference.
- Darren and Susan will run the Planning Commission Meeting of April 10, 2007.

ADJOURNMENT to the Development Review Committee Meeting of Monday, April 2, 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, April 9, 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, April 10, 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.