REVIEWED & APPROVED BY MATT JANSSEN 11/23/15

SAN LUIS OBISPO PLANNING DEPARTMENT HEARING MINUTES FOR THE MEETING OF Friday, October 16, 2015

Minutes of the Regular Meeting of the County Planning Department Hearings held in the ~~Board of Supervisors~~ Chambers, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:00 a.m. by **Matt Janssen, Hearing Officer.**

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. THE PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY.

Matt Janssen, Hearing Officer: opens meeting.

PUBLIC COMMENT PERIOD

1. Members of the public wishing to address the Planning Department Hearing Officer on consent agenda items and matters other than hearing items may do so at this time, when recognized by the Hearing Officer. Presentations are limited to three minutes per individual.

   No one coming forward.

CONSENT AGENDA

2. Unless pulled from the consent agenda by the Planning Department Hearing Officer for separate action, the following items will be acted on collectively because individual public hearings were not requested or required pursuant to Land Use Ordinance Section 22.062.050B.4.b. or Coastal Zone Land Use Ordinance Sections 23.02.033b.(2)(ii) and 23.02.033b.(4)(ii):

3. September PDH DRAFT Minutes

   Thereafter, on motion of the hearing officer, the Planning and Building Department minutes of October 16, 2015 are Received and Filed as recommended and are available on file at the office of the County Planning and Building Department.

4. Request by **ROHIT and VIMY SUNDRANI** for a Minor Use Permit/Coastal Development Permit (DRC2014-00147) to allow the construction of an approximately 2,663 square foot, 2 story single family residence. The project will result in the disturbance of the entire approximately 5,539 square parcel. The proposed project is within the Residential Single Family land use category within the Small Scale Design Neighborhood and is located at 3161 Studio Drive in the Estero Coastal planning area in the community of Cayucos. Also to be considered is the approval of the environmental document. A Class 3 categorical exemption was issued for this project.

County File No.: DRC2014-00147
Supervisorial District: 2
Project Manager: James Caruso

Assessor Parcel No: 064-413-021
Date Accepted: August 13, 2015
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by ROHIT and VIMY SUNDRANI for a Minor Use Permit/Coastal Development Permit (DRC2014-00147) is granted based on the Findings A. through I. in Exhibit A and subject to the Conditions 1 through 38 in Exhibit B. (Document Number: 2015-076_PDH)

HEARING ITEMS

5. Request by **FORSTER-GILL, INC.** for a Minor Use Permit/Coastal Development Permit (DRC2014-00140) to allow additional restaurant seating and facilities (capacity to remain unchanged at 100 persons), changes to hours to allow for an additional 30 minutes of operating time and 90 minutes for clean up, allow outdoor amplified music and temporary rain covers over seating areas. The project will result in the disturbance of the entire approximately 1,800 square foot parcel. The proposed project is within the Commercial Retail land use category and is located at 262 Front Street within the community of Avila Beach. The site is in the San Luis Bay Coastal planning area. Also to be considered is the approval of the environmental document. A Class 3 categorical exemption was issued for this project.

County File No.: DRC2014-00140
Supervisorial District: 5
Project Manager: James Caruso

Assessor Parcel Number: 076-222-018
Date Accepted: August 17, 2015
Recommendation: Approval

James Caruso, Project Manager: presents staff report via power point.

Tim Gill, Applicant: discusses the proposed project. Also, states would like to revise existing conditions to have the option to supply liquor on the premises.

Charles Kirschner: Attorney for Ferrini Family: discusses reasons for denial on the proposed project.

Beth Ferrini, neighbor: discusses reasons for denial of the proposed project.

Anne Brown, neighbor: states the restaurant is a value to the neighborhood although would like to see the applicant follow through with the existing conditions from the Minor Use Permit.

Tim Gill, Applicant: presents documentation, pictures, for the Hearing Officer to view.

Matt Janssen: reads into the record an email exchange between the County and Tim Ronda.

Tim Gill: Applicant: discusses discussions between the Ferinni's. And states an option of building an 6 feet wall to block the view.

Reviews the photos on overhead projector.

Discussion ensues with Hearing Officer and Applicant.

Eric Humble, General Manager: show where seats will be taken out and added to the outdoor patio.

Matt Janssen, Hearing Officer: states for the record he went to the property. Reviews the requested Condition changes. Discusses no amplified music.

Shelton Ferrrini, neighbor: discusses his view on if the applicant should build a wall in between the garden and the patio.

Discussion with staff and applicant on adding umbrella's to the patio seating.

Reviews all conditions changes.

Thereafter, on motion of the hearing officer, the request by FORSTER-GILL, INC. for a Minor Use Permit/Coastal Development Permit (DRC2014-00140) is granted based on the Findings A. through G in Exhibit A and subject to the Amended Conditions 1 through 20 in Exhibit B; Deleting Conditions 1d and 1e with re-lettering as needed, Revising Condition 1e to read "Clean up time (after closure) for 90 minutes after close. Clean up activities must end by 12:00 a.m."; Revising Condition 1f to read "Allow temporary rain covers over solar panels from October 15 to April 15 subject to approval of the Building Division."; Adding New Condition 1g to read " The rear setback area shall be covered in a manner consistent with the existing setback cover."; Adding New Condition 3 to read "The floor elevation of the new patio area shall be no higher than 5 feet above the sidewalk elevation at the main restaurant entrance." with renumbering as needed and Deleting Condition 13; Revising Condition 15 a and b to read " The business may operate on the following schedule: a. November 1 – April 30 – Inside 7 a.m. to 10:00 p.m. Patio – 7:00 a.m. to 8:30 p.m. b. May 1 – October 30 – Inside – 7:00 a.m. to 10:30 p.m. Patio – 7:00 a.m. to 9:30 p.m." and Deleting Condition 15c. (Document Number: 2015-077_PDH)

ADJOURNMENT

Next Scheduled Meeting: November 13, 2015, in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

Nicole Retana, Secretary
Planning Department Hearings

Minutes will be approved at the December 11, 2015 Planning Department Hearings Meeting.