

The Planning Commission of the City of Fort Bragg met in regular session on the above date at 6:00 p.m., in the Fort Bragg Town Hall, 363 N. Main Street, Fort Bragg, and the following items were discussed in the order presented.

## **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

Present: Chair Don Snyder, Vice Chair Georgia Lucas, Commissioners Meg Courtney, Mark Hannon, and Kathleen Johnson.

Staff Present: Jason Dose, Planner III and Nancy Philips, Administrative Secretary.

### **APPROVAL OF MINUTES**

**Moved by Courtney, seconded by Lucas, to approve the October 26, 2005 minutes as written.**

**VOTE: Ayes: Commissioners Courtney, Hannon, Lucas, and Chair Snyder.**

**Abstain: Commissioner Johnson, who was not present at said meeting.**

### **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

None.

### **PUBLIC HEARINGS**

1. **DR 14-05 and USP 10-05; William Pavioni (owner); Dave Pavioni (applicant); 242 South Franklin Street; APN 008-174-06; Design Review and Use Permit to authorize the demolition of an existing 480 sq. ft. outbuilding and construction of a 28' tall, two-story garage and residence. The proposed structure would consist of a 1,200 sq. ft. garage, a 1,150 sq. ft. residence, and a 300 sq. ft. deck.**

The Agenda Item Summary Report prepared for this item was reviewed with the Commission by Planner Dose. In response to a question from Lucas, Dose noted that while there is no limit to lot coverage in the General Commercial zone, the Commission may approve an increase in the floor area ratio for projects involving residences. Snyder noted that the photocopied sketch is a more accurate rendition of proportions than the drawing submitted by the applicant. Hannon stated that the story poles and photographs were very helpful. Courtney pondered whether vegetation or vines would improve the look of the project under the deck, but decided that it was not necessary. Johnson said that she had driven on the alley behind the site several times and had only seen a car parked there once. People park on Franklin Street to get to the beauty supply store.

**Chair Snyder opened the public hearing at 6:20 p.m.**

1. Dave Pavioni, applicant, stated that the parking spaces were made available for patrons of the business fronting on Franklin Street. He has no concerns about people parking there.
2. Charles De Shiell, neighbor, said that he represented himself and three other residents on South Franklin Street. They are very impressed with the project and have no problems with it. It will blend in well with the neighborhood.

**Chair Snyder closed the public hearing at 6:23 p.m.**

Discussion: The Commissioners agreed that the project looked good.

**Moved by Hannon, seconded by Johnson, to approve DR 14-05 and USP 10-05 based on the following findings and subject to the conditions cited below:**

## FINDINGS

1. The proposed project is consistent with the purpose and intent of the General Commercial (CG) zoning district.
2. The proposed use is specifically enumerated as a permitted use in the CG zoning district.
3. The project provides architectural design, building massing, and scale appropriate to and compatible with the surroundings and the community.
4. The project complies with and is consistent with the City's Design Guidelines.
5. The allowance for an increase in Floor Area Ratio is warranted as the project provides for a residential component on the property.
6. The project is exempt from further environmental review pursuant to the CEQA Guidelines Section 15303 – Class 3 – New Construction or Conversion of Small Structures.

## STANDARD CONDITIONS

1. This action shall become final on the 11<sup>th</sup> working day following the decision unless an appeal to the City Council is filed pursuant to Land Use & Development Code Chapter 18.92 (Appeals).
2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the Land Use & Development Code (LUDC).
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State and Federal agencies having jurisdiction. All plans submitted with required permit applications shall be consistent with this approval.
5. The applicant shall secure all required building permits for the proposed project as required by the Building Department.
6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
  - (a) That such permit was obtained or extended by fraud.
  - (b) That one or more of the conditions upon which such permit was granted have been violated.
  - (c) That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety or as to be a nuisance.
  - (d) A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
8. This Design Review approval in compliance with Section 18.71 of the LUDC shall lapse and become void twelve months from the date of approval unless before the expiration of twelve months, a building permit is issued and construction has commenced and diligently pursued towards completion or an extension is requested and obtained in accordance with LUDC 18.71.050 (H)(3).

- 9. Permits or approvals not exercised within 24 months of approval shall expire and become void except where an extension of time is approved in compliance with LUDC 18.76.070 (B).**

**VOTE: Ayes: Commissioners Courtney, Hannon, Johnson, Lucas, and Chair Snyder.**

**CONDUCT OF BUSINESS**

**2. Matters from Chair/Commission/Staff**

- A. Commissioner Johnson requested a copy of the minutes of the last meeting. Philips provided her a copy.
- B. Planner Dose announced that Sonoma State University is holding their 22<sup>nd</sup> annual Planning Commission seminar in early December. Commissioners Courtney and Johnson stated that they would like to attend.
- C. Planner Dose stated that this would be his last Planning Commission meeting in Fort Bragg as he and his family are relocating to Shelton, Washington. Chris Carterette will be starting his employment as a Planner for the City on Monday, and a second planner will likely be on board in December. The Commission wished Dose well.

**ADJOURNMENT**

**Chair Snyder adjourned the meeting at 6:27 p.m.**