



# City of El Paso de Robles

*"The Pass of the Oaks"*

## MINUTES OF THE REGULAR MEETING PASO ROBLES CITY COUNCIL MAY 2, 1989

The City Council of the City of El Paso de Robles, meeting in regular session at 7:00 p.m. on the above date, was called to order by Mayor Steve Martin with the following Councilmembers answering roll call: Conway, Dolan, Russell, and Martin; Councilman Reneau being absent.

1. The minutes of the regular meeting of April 18, and the adjourned regular/study session meeting of April 24, 1989 were approved upon motion by Councilmember Russell, seconded by Councilmember Conway and passed unanimously.

2. Proclamation "American Home Week", April 30 - May 6, 1989 was adopted upon motion by Councilman Dolan, seconded by Councilman Russell and passed unanimously.

Councilman Reneau arrived and took his seat.

3. The Mayor announced that it was the time and place scheduled for a public hearing on General Plan Amendment 89-01 (A), Rezone 89-001, CUP 89002, PM PR 89005/Halferty; General Plan Amendment 89-01 (B), Rezone 89002/City Initiated - Infill Annexation.

The City Manager announced that Attorney Scott Radovich would be sitting as City Attorney on GPA 89-01(A), citing the existence of conflict of interest with the firm of Lyon and Picquet.

The Mayor opened the public hearing on General Plan Amendment 89-01, first hearing testimony on Component (A), Halferty.

Mr. Jim Halferty, of Halferty Development Company, reviewed the project and Mr. John McCarthy, of North Coast Engineering, engineer for the project, addressed the traffic circulation and engineering aspects of the development.

Mr. Gary Brock, representing Hilltop Developers (Wayne Reeder), addressed the Council in opposition, and Mr. Mike Rider, representing Rider Development, spoke in favor of the proposed amendment and rezone.

A letter from Michael T. LeSage, Attorney at Law, and a letter from Joseph W. Diehl, Jr., of Diehl & Rodewald, Attorneys at Law, were entered into the record.

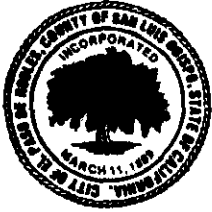
There being no other comments, either oral or written regarding Component (A), the Mayor called for a brief recess, after which he reconvened with all Council members present, for testimony in regard to GPA 89-01 (B)/City Initiated - Infill Annexation.

Mr. Charles Honzell, addressed the Council requesting C-3 zoning for his property, located on Ardmore Street, due to his existing business  
City Manager P.O. Box 307, Paso Robles, CA 93447-0307 (805) 238-0400

decision that Paso Robles has an unmet transportation need. The City Manager advised that the County would be giving a presentation on their transportation study in the Council's adjourned regular meeting of May 8, 1989.

22. There being no further business, it was moved by Councilman Dolan, seconded by Councilman Conway and passed unanimously to adjourn to May 8, 1989 at 7:00 p.m. for an adjourned regular Council meeting and study session, in the City Council Chambers.

THESE MINUTES ARE NOT OFFICIAL NOR A PERMANENT PART OF THE RECORDS UNTIL APPROVED BY THE CITY COUNCIL AT THEIR NEXT REGULAR MEETING.



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## NOTICE OF ADJOURNMENT

YOU ARE HEREBY NOTIFIED that the meeting of the  
Redevelopment Agency of the City of El Paso de Robles,  
California, held on May 2 , 1989 at 7:00 p.m.  
in the Council Chambers, City Hall, 1030 Spring Street, Paso  
Robles, California 93446, has been adjourned to  
May 8, 1989 at 7:00 p.m. in the Council Chambers, City  
Hall, 1030 Spring Street, Paso Robles, California 93446.

DATE: May 3 , 1989

CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES

BY: *Dawn Hudson*  
DEPUTY CITY CLERK

operation and being adjacent to the new School District bus maintenance facility.

Ms. Kathy Vierra, also residing on Ardmore Street, addressed the Council, in support of the C-3 zoning.

Ms. Jewell Wondra, who resides across from Barney Schwartz Park, expressed concerns for the area being kept clean and litter free.

There being no further comments, either written or oral, the public hearing was closed upon motion by Councilman Dolan, seconded by Councilman Russell and passed unanimously.

Motion by Councilman Dolan and seconded by Councilman Russell that the Council finds no substantial evidence that the proposed General Plan Amendment GPA 89-01 would have a significant effect on the environment and adopt a Negative Declaration in accordance with CEQA. Motion passed by the following roll call vote:

AYES: Dolan, Russell, Conway, Reneau and Martin  
NOES: None  
ABSENT: None

The Council then took a straw vote, which passed unanimously, to include both Components (A) and (B) in consideration of GPA 89-01.

Motion by Councilman Dolan and seconded by Councilman Conway to adopt Resolution No. 89-51, APPROVING AMENDMENT 89-01 TO THE LAND USE ELEMENT OF THE GENERAL PLAN, 89-01(A) and 89-01(B). Motion passed by the following roll call vote:

AYES: Dolan, Conway, Russell, Reneau and Martin  
NOES: None  
ABSENT: None

Motion by Councilman Russell, seconded by Councilman Dolan and passed unanimously that Ordinance No. \_\_\_\_\_, N.S., APPROVING REZONE 89001-HALFERTY, be read by title only. The Ordinance was read by title only.

Motion by Councilman Russell and seconded by Councilman Dolan that this constitutes the first reading and introduction of said Ordinance. Motion passed by the following roll call vote:

AYES: Russell, Dolan, Conway, Reneau and Martin  
NOES: None  
ABSENT: None

Motion by Councilman Russell and seconded by Councilman Reneau that Resolution No. 89-52, APPROVING PLANNED DEVELOPMENT 89001, be adopted with the following modifications to conditions:

Condition No. 56 (b) amended from two (2) freestanding  
identification signs to be no higher than 10 feet to one (1) center  
freestanding sign to be no higher than 25 feet in height (which  
shall be subject to review and approval of the ARC), and left two (2)  
freestanding signs to be no higher than 6 feet each; and which shall be  
building pads), to be no higher than 6 feet each; and which shall be  
subject to review in the same manner as the development plans for  
those pads.

3 - Condition No. 59 - the addition of ...traffic generation,  
"and shall not exceed \$5,000.00."  
Motion passed by the following roll call vote:  
AYES: Dolan, Russell, Reneau, Conway and Martin  
NOES: None  
ABSENT: None

Motion by Councilman Reneau to adopted Resolution No. 89-53 with  
several of the permitted uses to be deleted. Motion died for lack of  
a second.  
Motion by Councilman Dolan and seconded by Councilman Conway to adopt  
Resolution No. 89-53, APPROVING CONDITIONAL USE PERMIT 89002  
(HALFERTY DEVELOPMENT CO. - NEIGHBORHOOD COMMERCIAL CENTER) with the  
modification to include CO. - real book store and record and tape store as  
acceptable uses, and real estate and professional to be listed  
together. Motion passed by the following roll call vote:  
AYES: Dolan, Conway, Russell and Martin  
NOES: Reneau  
ABSENT: None

Motion by Councilman Russell and seconded by Councilman Reneau to  
adopt Resolution No. 89-54, GRANTING TENTATIVE MAP APPROVAL FOR  
PARCEL MAP PR 89-005, with the Condition 13 modified as follows:  
...issuance of any "Certificate of Occupancy" instead of building  
permit. Motion passed by the following roll call vote:  
AYES: Russell, Reneau, Conway, Dolan and Martin  
NOES: None  
ABSENT: None

Motion by Councilman Dolan, seconded by Councilman Reneau  
unanimously that Ordinance No. \_\_\_\_\_, N.S., APPROVING RE  
INFILL ANNEXATION, be read by title only, with the  
archeological studies be performed consistent with  
CEQA. The Ordinance was read by title only.

Motion by Councilman Dolan and seconded by Councilman Russell that this constitutes the first reading and introduction of said Ordinance. Motion passed by the following roll call vote:

AYES: Dolan, Russell, Conway, Reneau and Martin  
NOES: None  
ABSENT: None

Motion by Councilman Russell, seconded by Councilman Dolan and passed unanimously that staff be directed to prepare a resolution finding the Honzell business operations, as presently authorized by the County, to be consistent with and allowable in a City C-3 zone.

4. The Mayor called a brief recess after which he reconvened the meeting with all Councilmembers present.

5. The Mayor announced that it was the time and place scheduled for public hearing pursuant to Resolution No. 89-46 to hear objections of assessment for the 1989 Weed and Rubbish abatement.

Councilman Dolan stepped down making a declaration of conflict.

The Mayor opened the public hearing.

No objections being submitted, it was moved by Councilman Conway, seconded by Councilman Reneau and passed unanimously to close the public hearing.

Motion by Councilman Russell, seconded by Councilman Reneau and passed unanimously to approve the list of assessed property owners as shown in Exhibit "A" of Resolution No. 89-46, allowing the City to abate the hazards thereon and place a lien against said property.

Councilman Dolan resumed his seat.

6. The Mayor announced that it was the time and placed scheduled for public hearing on the Community Development Block Grant Application for 1989-90.

The Mayor opened the public hearing.

Ms. Jeanette Duncan, Executive Director of Peoples' Self-Help Housing, responded to Council's questions and comments.

Ms. Dee Lacey, member of the Redevelopment Agency Project Area Committee, Dr. Eckert, President of Peoples' Self-Help Housing, Mr. Gene Bergman, Director of Paso Robles Housing Authority, and Rev. Reuben Tate, Chairperson of the Project Area Committee Housing Subcommittee, spoke in support of the Grant application.

There being no further comments, either written or oral, the public hearing was closed upon motion by Councilman Dolan, seconded by Councilman Russell and passed unanimously.

Motion by Councilman Dolan and seconded by Councilman Conway to adopt Resolution No. 89-55, APPROVING COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION, in the amount of \$499,000. Councilman Russell stated that he believed the proposed housing development to be in the wrong location. Motion passed by the following roll call vote:

AYES: Dolan, Reneau, Conway and Martin  
NOES: Russell  
ABSENT: None

7. The Mayor announced that it was the time and place scheduled for public hearing of an appeal to the City Council of Planning Commission approval of EIS 89001/Pacific Management and Development.

The Mayor opened the public hearing.

The Director of Community Development presented a letter from the applicant which proposed reduction in building size to eliminate the need to obtain off-site parking.

There being no other comments, either written or oral, the public hearing was closed upon motion by Councilman Dolan, seconded by Councilman Reneau and passed unanimously.

With the elimination of the request for off-site parking, it was recommended that Condition No. 4 be replaced with a new condition which would read:

"The applicant shall enter into an agreement with the City for a requirement that a separate Certificate of Occupancy be required for the conversion and/or use of the basement area as office space. Such an agreement shall be drafted and recorded in a manner subject to the approval of the City Attorney."

Motion by Councilman Russell and seconded by Councilman Dolan to grant a Negative Declaration for EIS 89001 based upon an agreement to include Condition No. 4 as revised and set forth above. Motion passed by the following roll call vote:

AYES: Russell, Dolan, Conway, Reneau and Martin  
NOES: None  
ABSENT: None

8. The Mayor announced that it was the time and place scheduled for an appeal to the City Council of Planning Commission approval of Lot-line Adjustment PRAL 89-003/Central Coast Capital Corporation (formerly Tenneco).

The Mayor opened the public hearing.

Mr. Newlin Hastings, representing Central Coast Capital Corporation, reviewed the project and responded to Council comments and questions.

There being no further comments, either oral or written, the public hearing was closed upon motion by Councilman Dolan, seconded by Councilman Conway and passed unanimously.

Motion by Councilman Dolan and seconded by Councilman Reneau, to deny the appeal and let stand approval of Lot Line Adjustment PRAL 89-003, consistent with Planning Commission action including the addition of Condition 4 to read: "The applicant shall be allowed 6 months to complete the requirements of Condition No. 1 or compliance shall be required upon the application of a Certificate of Occupancy for any building onsite, whichever comes first.". Motion passed by the following roll call vote:

AYES: Dolan, Reneau, Russell, Conway and Martin  
NOES: None  
ABSENT: None

9. The Mayor called a brief recess, after which the meeting was reconvened with all Councilmembers present.

10. The Mayor announced that it was the time and placed scheduled for public hearing of Tract 1447 and Planned Development 88008/Duvall.

The Mayor opened the public hearing.

Mr. Bryan Duvall, principle partner in the development, addressed the Council and requested revisions to several conditions.

Ms. Pauline Haynen and Mr. Ken Claren addressed the Council in opposition to Tract approval.

There being no further comments, either oral or written, the public hearing was closed upon motion by Councilman Russell, seconded by Councilman Dolan and passed unanimously.

Motion by Councilman Russell and seconded by Councilman Reneau to approve a Negative Declaration status for Tract 1447. Motion passed on a 4 to 1 vote with Councilman Dolan dissenting, citing concern for traffic until Charolais Road alignment is determined.

Motion by Councilman Russell to adopt Resolution Approving Tract 1447 subject to the specified conditions with the modification to Condition 48, redesign of alignment of Rambouillet; Condition 52, clarification of Arbolado Road improvements; and Condition 18, that review of the CC&R's shall be conducted by the Master Plan Committee



consistent with Council's approved criteria. Motion seconded by Councilman Reneau.

The motion failed with the following roll call vote:

AYES: Russell and Reneau  
NOES: Dolan, Conway and Martin  
ABSENT: None

Motion by Councilman Dolan and seconded by Councilman Conway to deny approval of Tentative Tract 1447 and Planned Development without prejudice, with waiver of resubmittal fees based upon the findings that the proposed 80 foot right-of-way is not consistent with the Circulation Element and the traffic impact on Charolais Road, that the 40 feet should come off of the north side of the road, and that staff is directed to make specific findings on these issues and prepare a Resolution for adoption. Motion passed by the following roll call vote:

AYES: Dolan, Conway and Martin  
NOES: Russell and Reneau  
ABSENT: None

11. The Consent Calendar was presented; the City Manager withdrew Item D., Approval of Final Map and Subdivision Agreement For Tract 1526/Massey.

Motion by Councilman Dolan and seconded by Councilman Reneau that the Consent Calendar be approved, with the exception of Item D., together with the findings and recommendations as set forth therein, and with waiver of reading of Resolutions and Ordinances. Motion passed by the following roll call vote:

AYES: Dolan, Conway, Reneau, Russell and Martin  
NOES: None  
ABSENT: None

Those items on the Consent Calendar are as follows:

A. Resolution No. 89-56. MAKING CERTAIN FINDINGS RELATIVE TO DENIAL WITHOUT PREJUDICE THE LANDFILL RATE INCREASE REQUEST, adopted unanimously.

B. Resolution No. 89-57. A RESOLUTION OF INTENTION FOR ABANDONMENT OF A PORTION OF PUBLIC ALLEY BETWEEN THE WEST SIDE OF RIVERSIDE AVENUE AND THE RAILROAD RIGHT-OF-WAY AND SETTING JUNE 6, 1989 FOR PUBLIC HEARING, adopted unanimously.

C. Approval of Final Parcel Map PRAL 88-311/Timm, approved unanimously.

E. Resolution No. 89-58, AWARDED CONTRACT FOR THE UNION ROAD WATER MAIN PROJECT (DPW 89-01), adopted unanimously.

F. Authorization to Advertise For Bids For Creston Road Sidewalk Improvements - Laura to Lana Streets DPW 89-05, approved unanimously.

G. Approval of Progress Payment No. 14 to Cushman Contracting Corp. For Wastewater Treatment Expansion, approved unanimously.

H. Authorization For Sidewalk Sale by Main Street Merchants For Friday, May 19, and Saturday, May 20, 1989, approved unanimously.

I. Receive and File of Centennial Committee Financial Report and Authorization For Fund Advance, approved unanimously.

J. Authorization to Advertise For Bids For Drilling New Ronconi Well No. 16 (DPW 89-06), approved unanimously.

12. The Pre-check Register for April 19 and April 27, 1989 in the amount of \$613,755.67 was approved upon motion by Councilman Dolan and seconded by Councilman Russell. The motion passed by the following roll call vote:

AYES: Dolan, Russell (abstaining on Check No. 138), Conway, Reneau and Martin  
NOES: None  
ABSENT: None

13. A memo from The Director of Community Development presented a recommendation from the Planning Commission that the City initiate a Planned Development (PD) zoning overlay for identified properties, Exhibit "A".

Mr. Jim Sampson, the applicant on the Tenneco property, expressed concern for the P.D. in view of their application for a Master Conditional Use Permit.

Motion by Councilman Russell, seconded by Councilman Dolan and passed unanimously to refer the establishment of Planned Development overlay to the Planning Commission with instruction that they take into account the inclusion within the PD Ordinance acceptance of a Master Use Permit.

14. A memo from the Director of Public Works recommended that Council approve Change Order Nos. 15, 16 and 17 for work completed by Cushman Contracting Corporation for the Wastewater Treatment Plant Expansion for a total authorization of \$69,336.00.

Motion by Councilman Russell and seconded by Councilman Dolan to approve said Change Orders in the amount of \$69,336.00. Motion passed by the following roll call vote:

AYES: Russell, Dolan, Conway, Reneau and Martin  
NOES: None  
ABSENT: None

15. The City Manager recommended rejection of all bids (1 received) for the purchase of City surplused Airport Tank.

Motion by Councilman Dolan, seconded by Councilman Reneau, and passed unanimously to reject the bid and authorize staff to seek new bids and negotiate the tank removal.

16. Motion by Councilman Russell, seconded by Councilman Conway and passed unanimously to schedule May 8, 1989 at 7:00 p.m. for interview of the applicant for Senior Citizens Advisory Committee.

17. Ordinance No. 574 N.S., REPEALING SECTIONS 9, 10 AND 11 OF THE ORDINANCE 266 N.S. AND ADDING CHAPTER 1.02 TO THE MUNICIPAL CODE RELATING TO MUNICIPAL VIOLATIONS AND RULES, was presented for second reading and adoption.

Motion by Councilman Russell, seconded by Councilman Dolan and passed unanimously that Ordinance No. 574 N.S. be read by title only. The Ordinance was read by title only. Motion by Councilman Russell and seconded by Councilman Dolan that this constitutes the second reading and adoption of Ordinance No. 574 N.S. Motion passed by the following roll call vote:

AYES: Russell, Reneau, Dolan, Conway and Martin  
NOES: None  
ABSENT: None

18. The City Manager advised that the closed session requested on the Agenda is not needed.

19. A letter of resignation from Glen Rhyne from the Parks and Recreation Advisory Committee was received and his resignation was accepted with regrets upon motion by Councilman Russell, seconded by Councilman Dolan and passed unanimously.

20. The City Manager announced that the City will be advertising for applicants for the various vacancies existing on the City advisory boards and committees, and will be accepting applications through the month of May. The applications will be presented to the City Council in the first study session in June.

21. Councilman Russell reported on the San Luis Obispo County Coordinating Council's transportation study and the resulting