

**PLANNING COMMISSION
MINUTES**

January 9, 2007

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

PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA: None

STAFF BRIEFING: No briefing given.

AGENDA ITEMS PROPOSED TO BE TABLED OR RE-SCHEDULED Item No. 5 will be opened and continued to date uncertain.

PRESENTATIONS: None

OATHS OF OFFICE AND SEATING OF NEWLY APPOINTED PLANNING COMMISSIONERS JOHNSON AND TREATCH.

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 December 12, 2006.

- 1. FILE #: **TENTATIVE PARCEL MAP PR 04-0189**
 APPLICATION: To consider a request to subdivide an approximate one (1) acre parcel into three (3) lots where the existing house would remain and two additional single family homes would be built. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject applications.
 APPLICANT: EMK & Associates on behalf of Jose and Maria Marquez
 LOCATION: 319 – 4th Street

Opened Public Hearing.

Public Testimony: No public testimony given either in favor or opposed, however, Kathy Barnett had questions about the tentative map and Lee Strakbein expressed concerns with safety and the desire that 4th Street not be blocked.

Closed Public Hearing.

Action: A motion was made by Commissioner Steinbeck, seconded by Commissioner Menath, and passed 5-2 (Commissioners Flynn and Withers opposed), to approve Tentative Parcel Map PR 04-0189 as presented.

- 2. FILE #: **TENTATIVE PARCEL MAP PR 04-0496 TIME EXTENSION**
 APPLICATION: To consider a request for a one year time extension to subdivide one 7,000 square-foot parcel into two parcels of approximately 3,925 square feet and 3,075 square feet each. The site is currently developed with two single- family residences. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject applications.
 APPLICANT: Tom Erskine
 LOCATION: 834 & 844 Twentieth Street.

Opened Public Hearing.

Public Testimony: No public testimony given, either in favor or opposed.

Closed Public Hearing.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Flynn, and passed 7-0 to approve a Time Extension for Tentative Parcel Map PR 04-0496 as presented.

3. **FILE #:** **TENTATIVE PARCEL MAP PR 04-0495 TIME EXTENSION**

APPLICATION: To consider a request for a one year time extension to subdivide one 7,290 square-foot parcel into two parcels of approximately 4,835 square feet and 2,455 square feet each. The site is currently developed with two single- family residences. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject applications.

APPLICANT: Tom Erskine

LOCATION: 415 & 421 7th Street

Opened Public Hearing.

Public Testimony: No public testimony given, either in favor or opposed.

Closed Public Hearing.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Flynn, and passed 7-0 to approve a Time Extension for Tentative Parcel Map PR 04-0495 as presented.

4. **FILE #:** **PLANNED DEVELOPMENT 06-013 and TRACT 2583**

APPLICATION: To consider a request to create a nine (9) lot single family residential subdivision from a 3.13 acre parcel. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject applications.

APPLICANT: Pamela Jardini on behalf of Jason Rhoades

LOCATION: Northwest corner of Union and Prospect Roads

Opened Public Hearing.

Public Testimony: In favor: Pamela Jardini, applicant representative

Opposed: Robert Headley, adjacent neighbor

Neither in favor nor
Opposed but expressing questions: Kathy Barnett

Closed Public Hearing.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Holstine, and passed 7-0, to approve the Negative Declaration for Planned Development 06-013 and Tract 2583 as presented.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Treach, and passed 5-2 (Commissioners Flynn and Withers opposed), to approve Planned Development 06-013 with the added condition to install a temporary screen fence.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Treach, and passed 5-2 (Commissioners Flynn and Withers opposed), to approve Tract 2583 with the added condition to install a temporary screen fence.

- 5. FILE #: **PLANNED DEVELOPMENT 06-023 and TRACT 2796**
- APPLICATION: To consider a request to establish a tentative tract map and development plan for the creation of a 5 lot single family residential subdivision from a 2.476 acre parcel. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
- APPLICANT: Pamela Jardini on behalf of Gene Barre
- LOCATION: Northeast corner of South River Road and Charolais Road.

Opened Public Hearing.

Public Testimony: No public testimony given, either in favor or opposed.

Closed Public Hearing.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Menath, and passed 7-0, to continue Planned Development 06-023 and

Tentative Tract Map 2796 to date uncertain, pending adoption of a plan line for establishing the future improvements for the Charolais Road/South River Road intersection.

Commissioner Steinbeck stepped down due to a conflict of interest.

6. FILE #: **AMENDMENT OF TRACT 2593 AND PLANNED DEVELOPMENT 03-019**

APPLICATION: To consider a request to amend condition number 10 of Resolution 04-038 approving Tract 2593, eliminating the requirement to prohibit 2-story homes on Lots 1-7, 40 and 23. After further review of these lots, in order to comply with the Grading Ordinance and in order to keep the house closer to the front of the lot, rather than down the hill closer to the rear fence, it appears that it is necessary to construct a two story house.

APPLICANT: City initiated

LOCATION: At the terminus of Navajo Avenue and Red Cloud Drive.

Opened Public Hearing.

Public Testimony: In favor: Satwant Rihal

Opposed: None

Neither in favor nor opposed
but expressing concerns: Smokey Rickerd
Kathy Barnett
Jill Copeland

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Flynn, and passed 6-1 (Commissioner Steinbeck refrained), to approve an Amendment to Planned Development 03-019 and Tract 2593 as amended.

Commissioner Steinbeck resumed his seat on the dais.

7. FILE#: **AMENDMENT TO PLANNED DEVELOPMENT 00-016**

APPLICATION: To consider an application by the Oak Creek Commons Community to review condition No. 7 of Resolution 00-084, related to deferral of 11 parking

spaces associated with the development of the Oak Creek Commons community.
APPLICANT: City initiated
LOCATION: North side of Nicklaus Drive, just north of the Pat Butler Elementary School.

Opened Public Hearing.

Public Testimony: In favor: Larry Miller, representative Oak Creek Commons Homeowners' Association

Opposed: None

Closed Public Hearing.

Action: A motion was made by Commissioner Menath, seconded by Commissioner Withers, and passed 6-1 (Commissioner Flynn opposed), to approve the Amendment to Planned Development 00-016 as presented.

8. FILE #: **CODE AMENDMENT 06-002**
APPLICATION: To consider and recommend to City Council, a Zoning Code Amendment defining Medical Marijuana Dispensaries and prohibiting establishment of this use.
APPLICANT: City initiated
LOCATION: Citywide

Opened Public Hearing.

Public Testimony: In favor: None

Opposed: Kathy Barnett, stating that the report is unfair and there are useful purposes for dispensaries.

Closed Public Hearing.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Flynn, and passed 7-0 to recommend that the City Council approve Code Amendment 06-002 as presented.

9. FILE #: **MISCELLANEOUS 06-010**
APPLICATION: To consider making a General Plan consistency finding for acquisition of two properties which are intended for use as public right-of-way.

APPLICANT: City initiated
LOCATION: Gahan Place – Assessor’s Parcel No’s 009-831-008
and 009-831-009.

Opened Public Hearing.

Public Testimony: In favor: None
Opposed: Al Nibecker

Closed Public Hearing.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Steinbeck, and passed 7-0, to report to the City Council that the acquisition of the subject properties on Gahan Place is consistent with the City’s General Plan.

OTHER SCHEDULED MATTERS -- NONE

WRITTEN CORRESPONDENCE -- NONE

COMMITTEE REPORTS

- 10. Development Review Committee Minutes (for approval):
 - a. December 4, 2006
 - b. December 11, 2006
 - c. December 18, 2006

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

- 11. Other Committee Reports:
 - a. Parks & Recreation Advisory Committee: Nothing to report.
 - b. PAC (Project Area Committee): No meeting
 - c. Main Street Program: Commissioner Holstine provided a calendar of upcoming events.
 - d. Airport Advisory Committee: No report given.

CDBG/REDEVELOPMENT AGENCY HOUSING PROGRAM STATUS REPORT

Director Whisenand reported that everything is proceeding on schedule.

PLANNING COMMISSION MINUTES FOR APPROVAL

12. December 12, 2006

Action: A motion was made by Commissioner Menath, seconded by Commissioner Flynn, and passed 6-1 (Commissioner Treach refrained), to approve the Planning Commission Minutes of December 12, 2006 as presented.

REVIEW OF CITY COUNCIL MEETING

December 19, 2006

A brief overview was provided by Commissioner Flynn.

PLANNING COMMISSIONERS' COMMENTS

- Commissioner Withers volunteered as the Planning Commissioner liaison to the School District Measure T Bond Oversight Committee.
- Commissioner Flynn commented on how good Union Road looks since its repair and widening. He also noted that the end units at the new development on River Road, behind Albertson's are occupied but not landscaped and asked if staff could check on the status. Further, he extended a welcome to Commissioner Treach on his new appointment to the Planning Commission.
- Commissioner Treach thanked the entire Commission for the warm welcome.

STAFF COMMENTS

Director Whisenand asked the Commission for a head count for the following: New Partners for Smart Growth Conference; Planner's Institute; and Planning Commission Installation Dinner. He also advised the Commission that an Airport Advisory Committee liaison is needed; he discussed the Planning Commissioner property ownership/investment mapping idea and stated that anyone who has not yet taken the Ethics Training will need to do so.

ADJOURNMENT to the Development Review Committee Meeting of Tuesday, January 16, 2007 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the Joint Planning Commission/City Council Breakfast Meeting of Friday, January 19, 2007 at 7:00 am at Touch of Paso, 1414 Pine Street, Paso Robles, CA 93446;

subsequent adjournment to the Planning Commission Reorganization Dinner of Sunday, January 21, 2007 at 6:00 pm at Panolivo;

subsequent adjournment to the Development Review Committee Meeting of Monday, January 22, 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, January 23, 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.