

**PLANNING COMMISSION
MINUTES**

February 28, 2012

PLANNING COMMISSIONERS PRESENT: Barth, Garcia, Gregory, Holstine, Peterson, Treatch, Vanderlip

ABSENT: None

PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA: None

STAFF BRIEFING: None

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

1. **FILE #:** **PLANNED DEVELOPMENT 11-007 AND REZONE 12-002**
 APPLICATION: A request to consider a proposal to rezone an existing one-acre lot and construct a new 5-unit apartment complex. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.

APPLICANT: Ted Weber on behalf of Golden Oaks Developers, Inc.

LOCATION: North side of Creston Road, at the intersection of Creston Road and Nickerson Avenue

Opened Public Hearing.

Public Testimony: In favor: Ted Weber, applicant
Opposed: None

Closed Public Hearing.

Action: A motion was made by Commissioner Treach, seconded by Commissioner Gregory, and passed 7-0, to recommend that the City Council adopt a Resolution approving a Negative Declaration for Planned Development 11-007 and Rezone 12-002 as presented.

Action: A motion was made by Commissioner Treach, seconded by Commissioner Peterson, and passed 7-0, to recommend that the City Council adopt an Ordinance approving Rezone 12-002, changing the zoning designation of the site from R1-B3 to R2.

Action: A motion was made by Commissioner Treach, seconded by Commissioner Vanderlip, and passed 7-0, to recommend that the City Council adopt a Resolution approving Planned Development 11-007 as presented.

2. FILE #: **APPEAL OF DENIAL OF CERTIFICATE OF COMPLIANCE**

APPLICATION: A request to consider an appeal regarding staff's issuance of a single conditional certificate of compliance. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.

APPLICANT: Paul Viborg
LOCATION: Portions of Blocks 73 and 82 (APN: 009-214-002)

Opened Public Hearing.

Public Testimony: In favor: Paul Viborg, applicant
Opposed: None

Neither in favor nor opposed but expressing concerns and voicing questions: Kathy Barnett

Closed Public Hearing.

Action: A motion was made by Commissioner Gregory, seconded by Commissioner Treach, and passed 6-1 (Chairman Garcia opposed), to refer the Appeal of Denial of Certificate of Compliance to the City Council for a decision, considering the legal and financial issues involved, with the recommendation to protect the applicant's property rights.

OTHER SCHEDULED MATTERS

3. GENERAL PLAN ANNUAL REPORT

Ed Gallagher presented the General Plan Annual Report

RECEIVED AND FILED REPORT

WRITTEN CORRESPONDENCE -- NONE

COMMITTEE REPORTS

- 4. Development Review Committee Minutes (for approval):
 - a. February 13, 2012

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

- 5. Other Committee Reports:
 - a. Parks & Recreation Advisory Committee: No report.
 - b. Main Street Program: Commissioner Holstine provided report.
 - c. Airport Advisory Committee: No report.
 - d. Measure T Bond Oversight Committee: No report.

CDBG/REDEVELOPMENT AGENCY HOUSING PROGRAM STATUS REPORT

Ed Gallagher reported that on March 8, 2012 the City Council will consider approving the 2012 CDBG Funds.

PLANNING COMMISSION MINUTES FOR APPROVAL

6. February 14, 2012

Action: A motion was made by Commissioner Treach, seconded by Commissioner Barth and passed 7-0 to approve the Planning Commission minutes above as presented.

REVIEW OF CITY COUNCIL MEETING

7. February 21, 2012

Chairman Garcia provided an overview.

PLANNING COMMISSIONERS' COMMENTS -- NONE

STAFF COMMENTS -- NONE

Any writing or document pertaining to an open session item on this agenda which is distributed to a majority of the Planning Commission after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review in the Community Development Department, 1000 Spring Street, Paso Robles, CA, during normal business hours, and may be posted on the City's web site at http://www.prcity.com/government/planning_commission/agendas.asp.

All persons desiring to speak on an agenda item are asked to fill out *Speaker Information Cards* and place them at the Staff Table prior to public discussion of that item. Each individual speaker will be limited to a presentation total of three (3) minutes per item.

AMERICANS WITH DISABILITIES ACT Any individual, who because of a disability needs special assistance to attend or participate in this meeting, may request assistance by contacting the City Clerk's Office (805) 237-3960. Whenever possible, requests should be made four (4) working days in advance of the meeting.

ADJOURNMENT to the Development Review Committee Meeting of Monday, March 5, 2012 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the City Council Meeting of Tuesday, March 6, 2012 at 7:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the Development Review Committee Meeting of Monday, March 12, 2012 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, March 13, 2012 at 7:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446.

THESE MINUTES ARE NEITHER OFFICIAL NOR ARE THEY A PERMANENT PART OF THE RECORD UNTIL APPROVED BY THE PLANNING COMMISSION AT THEIR NEXT REGULAR MEETING.