

PLANNING COMMISSION

MINUTES

April 25, 2000

PLANNING COMMISSIONERS PRESENT: Finigan, Johnson, McCarthy,
Nemeth, Steinbeck, Tascona, Warnke

PLANNING COMMISSIONERS ABSENT: None

STAFF BRIEFING: None

PUBLIC COMMENTS: Pat Mackie requested that "take out" copies of the Planning
Commission Agenda packet be made available in the Library.

PUBLIC HEARINGS

- 1. FILE #: **CONDITIONAL USE PERMIT 00-003**
- APPLICATION: To locate a small animal veterinary hospital in an
existing 2,800 square foot building. The Planning
Commission will also be considering the content
and potential application of any conditions of
approval that relate to the subject application.
- APPLICANT: Ann E. Stacker and Gregory E. Killingbeck
- LOCATION: Located at 527 Pine Street

Opened Public Hearing.

Public Testimony: In favor: Ann Stacker
Gregory Killingbeck
Mike Menath
Pat Mackie

Opposed: None

Neither in favor nor
opposed but expressing concerns: Dr. Jack Sloan

Closed Public Hearing.

Action: A motion was made by Commissioner Warnke, seconded by
Commissioner Johnson, and passed 7-0, to approve Conditional Use Permit 00-003 with
modifications regarding a district for the undergrounding of existing electric lines.

Commissioner Tascona stepped down for the following item.

2. FILE #: **PLANNED DEVELOPMENT 93008
AMENDMENT**
APPLICATION: Proposal to modify the architectural style and placement of model homes for 44 single family residential lots within phase 3 of Tract 2137. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
APPLICANT: Riverbluff Homes LLC (Dan Lloyd)
LOCATION: West side of Riverglen Drive, north of Union Road and east of North River Road.

Opened Public Hearing.

Public Testimony: In favor: Dan Lloyd

Opposed: None

Neither in favor nor
opposed but expressing concerns: Joe Hern
Steven Stesal
Roy Boyce
John Bowen

Closed Public Hearing.

Action: A motion was made by Commissioner Steinbeck, seconded by Commissioner Finigan, and passed 6-0-1 (Commissioner Tascona abstained), to approve an amendment to Planned Development 93008 as amended.

Commissioner Tascona resumed his seat on the dais.

3. FILE #: **ORCHARD BUNGALOW STREET
VACATION PROCEDURES
(ABANDONMENT 00-002)**
APPLICATION: To consider making a recommendation to the City Council and to make a finding with regard to General Plan consistency; the subject of both being the abandonment of certain streets within the Orchard Bungalow assessment district area.
APPLICANT: City-initiated
LOCATION: Portions of the Orchard Bungalow Assessment District area.

Opened Public Hearing.

Public Testimony: The following members of the public expressed questions and concerns regarding the proposed abandonment of streets:

Joe Cardinale
Pat Mackie
Jackie Klintworth
L.L. Forest
Chuck Ciado
Ella Mae Butterfield
Sam Siegel
Mona Culver
Donald Swisher
Larry Werner

The following specific questions were posed by the speakers at the Planning Commission public hearing regarding proposed abandonment of streets in the Orchard Bungalow area:

- Is there a legal problem with emergency services vehicles not being able to reach properties because of the condition of streets?
- What are the legal responsibilities of property owners along private streets (in the context of maintaining the private streets)?
- Does the City have any powers to require maintenance of private streets so that emergency services vehicles can access all properties?
- What are the access rights over private streets (i.e.: can public vehicular traffic be controlled)?
- Is it legal for the City to tax all property owners and provide less than full City services to some property owners (i.e.: to not provide City street maintenance, including street sweeping)?

The following comments/concerns were expressed by property owners in relation to the proposed street abandonment:

- Walnut Drive is used as a “through street” between Union and Creston Roads, and, upon occasions such as the Mid-State Fair Cattle Drive, public traffic is routed by the City over Walnut Drive to Creston Road and other destinations.
- Some of the street conditions, such as that of Ivy Lane, constitute safety hazards, particularly in wet weather.
- It is “highly discriminatory” for the City to maintain some streets and not others.
- The City cannot ignore the problem and let the streets become worse.
- The property owners pay taxes for street maintenance and do not receive the services that they are paying for.

- The Orchard Bungalow area should receive assistance from the City so that the streets can be properly improved and maintained.
- The City cannot make the required findings for abandonment of the streets and should instead focus on how to improve the situation.

Closed Public Hearing.

Action: A motion was made by Commissioner Steinbeck, seconded by Commissioner Warnke, and passed 7-0, to recommend that the City Council make the Government Code Section 65402 finding of General Plan consistency with regards to the abandonment, along with the other three findings that were formulated to support the abandonment. The Planning Commission did not conclude that they could make the three Streets & Highway Code findings in favor of abandonment. The matter will be going forward to the City Council without the Planning Commission support for making the Streets and Highway Code findings.

At the Public Hearing, the audience was advised that the legal questions would be addressed and responses presented at the City Council's public hearing on the street abandonment.

OTHER SCHEDULED MATTERS

4. North County Transportation Center, Phase IV (Landscape/Sign)

After public comments/discussion, a straw vote was taken showing a 7-0 consensus for support of the proposed landscape and signage plan for the North County Transportation Center. The Planning Commission would recommend that the sign be reduced in size to meet the City's requirements for monument signs.

WRITTEN CORRESPONDENCE - NONE

COMMITTEE REPORTS

5. Development Review Committee:
 - a. April 3, 2000
 - b. April 10, 2000

Action: A motion was made by Commissioner Warnke, seconded by Commissioner McCarthy, and passed 7-0, to approve the Development Review Committee Minutes as presented.

6. Other Committee Reports:
 - a. Airport Advisory Committee: No report given.
 - b. Parks & Recreation Advisory Committee: No report given.
 - c. PAC (Project Area Committee): No report given.
 - c. Main Street Program: A report was provided by George Finigan.

CDBG/REDEVELOPMENT AGENCY HOUSING PROGRAM STATUS REPORT

An update was provided by Ed Gallagher.

PLANNING COMMISSION MINUTES

7. April 11, 2000

Action: A motion was made by Commissioner Finigan, seconded by Commissioner Tascona, and passed 6-0-1 (Commissioner Steinbeck abstained), to approve the Planning Commission Minutes of April 11, 2000 as presented.

REVIEW OF CITY COUNCIL MEETING

Commissioner McCarthy provided a brief overview of the City Council Meeting of April 18, 2000.

PLANNING COMMISSIONERS' COMMENTS

None

STAFF COMMENTS

None

ADJOURNMENT at 10:30 pm to the Joint Planning Commission/City Council Breakfast Meeting of Friday April 28, 2000 at Wilson's Restaurant;

subsequent adjournment to the Hillside Development Field Trip of Friday April 28, 2000, departing City Hall Parking Lot at 8:00 am;

subsequent adjournment to the Development Review Committee Meeting of Monday, April 17, 2000 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the Development Review Committee Meeting of Monday, May 1, 2000 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the Development Review Committee Meeting of Monday, May 8, 2000 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, May 9, 2000 at 7:30 pm at the City Hall/Library Conference Center, 1000 Spring Street, Paso Robles, CA 93446.

THESE MINUTES ARE NOT OFFICIAL NOR A PERMANENT PART OF THE RECORD UNTIL APPROVED BY THE PLANNING COMMISSION AT THEIR NEXT REGULAR MEETING.