

**PLANNING COMMISSION  
MINUTES**

**February 28, 2006**

**PLANNING COMMISSIONERS PRESENT:** Flynn, Hamon, Holstine, Menath, Steinbeck, Withers

**PLANNING COMMISSIONERS ABSENT:** Mattke

**PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA:** None

**STAFF BRIEFING:** None

**AGENDA ITEMS PROPOSED TO BE TABLED OR RE-SCHEDULED:** None

**PRESENTATIONS:** None

John Falkenstien introduced new Community Development Director Ron Whisenand to the Planning Commission and the audience.

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**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.**

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**PUBLIC HEARINGS**

1.     **FILE #:**                                 **GENERAL PLAN AMENDMENT 06-001(A),  
REZONE 05-005 AMENDMENT TO TRACT  
2778 and AMENDMENT TO PLANNED  
DEVELOPMENT 97013;**  
  
          **APPLICATION:**                     To consider modifying the General Plan's  
  designation of property currently designated as

“Parks and Open Space” and a portion designated as “Agriculture” to a “Business Park” land use designation. In conjunction with the General Plan Amendment is an application for Rezone 05-005 to consider modifying the Zoning Code designation of the property currently designated as “Parks and Open Space” to a “Planned Industrial” zoning designation. Also, in conjunction with the General Plan Amendment and Rezone is an amendment to Tract 2778 and PD 97013. The Tract and PD is a request to subdivide the 47-acre site into twenty (20) lots for commercial/light-industrial uses. All traffic resulting from the proposed project would take access through the existing business park and the existing signalized intersection of Golden Hill Road and Highway 46 East. 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: East of Golden Hill Road and north of Highway 46 East and would form an eastward extension to the Golden Hills Business Park.

Opened Public Hearing.

**Public Testimony:** In favor: John McCarthy, applicant representative

Opposed: None

Neither in favor nor opposed  
but expressing concerns: Mike Weber  
Kathy Barnett

Closed Public Hearing.

**Action:** A motion was made by Commissioner Steinbeck, seconded by Commissioner Holstine to recommend the City Council approve a Negative Declaration for General Plan Amendment 06-001(a) and Rezone 05-005 and failed to pass on a vote of 3-3-1 (Commissioners Flynn, Menath and Withers opposed, Commissioner Mattke absent). Therefore, no recommendation was made to the City Council.

**Action:** A motion was made by Commissioner Steinbeck, seconded by Commissioner Holstine to recommend the City Council approve General Plan Amendment 06-001(a) and failed to pass on a vote of 3-3-1 (Commissioners Flynn, Menath and Withers opposed, Commissioner Mattke absent). Therefore, no recommendation was made to the City Council.

**Action:** A motion was made by Commissioner Steinbeck, seconded by Commissioner Holstine to recommend the City Council approve Rezone 05-005 and failed to pass on a vote of 3-3-1 (Commissioners Flynn, Menath and Withers opposed, Commissioner Mattke absent). Therefore, no recommendation was made to the City Council.

**Action:** A motion was made by Commissioner Steinbeck, seconded by Commissioner Holstine and passed 6-0-1 (Commissioner Mattke absent), to table consideration of an amendment to Tract 2778 and an amendment to Planned Development 97013, pending City Council consideration of the General Plan Amendment and Rezone.

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At 8:50 pm the Planning Commission took a 10 minute break and reconvened at 9:00 pm.

2. FILE #: **GENERAL PLAN AMENDMENT 06-001(B), REZONE 05-003, and SPECIFIC PLAN AMENDMENT 05-003**
- APPLICATION: To consider modifying the General Plan’s designation of property currently designated as “Commercial Service” to a “Residential Multi-Family Medium Density (12-units per acre – RMF-12)” land use designation. Additionally, an amendment to the text of the Land Use Element is requested to eliminate a portion of the RMF-12 Purpose Statement (pg. LU-18), that requires multi-family development in this land use category to have buildings with four or more dwelling units. In conjunction with the General Plan Amendment is an application for Rezone 05-003 to consider modifying the Zoning Code designation of the property currently designated as “Commercial/ Light Industrial” to a “Residential Multi-Family/ Apartment, 12-units per acre – R3” zoning designation. Also requested is Specific Plan Amendment 05-003, to amend the Borkey Area Specific Plan to reflect the change in land use for Sub Area D of the plan. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject applications.
- APPLICANT: Dick Willhoit
- LOCATION: On the south corner of River Oaks Drive and Experimental Station Road.

Opened Public Hearing.

**Public Testimony:** In favor: Dick Willhoit, applicant

Opposed: Jeff Chaffe  
Martha Staab

Neither in favor nor opposed  
but expressing concerns: Kathy Barnett

Closed Public Hearing.

**Action:** A motion was made by Commissioner Steinbeck, seconded by Commissioner Menath and passed 4-2-1 (Commissioners Flynn and Withers opposed, Commissioner Mattke absent), to recommend the City Council approve a Negative Declaration for General Plan Amendment 06-001(b), Rezone 05-003 and Borkey Area Specific Plan Amendment 05-003 as presented.

**Action:** A motion was made by Commissioner Steinbeck, seconded by Commissioner Menath and passed 4-2-1 (Commissioners Flynn and Withers opposed, Commissioner Mattke absent), to recommend the City Council approve General Plan Amendment 06-001(b) as presented.

**Action:** A motion was made by Commissioner Steinbeck, seconded by Commissioner Menath and passed 4-2-1 (Commissioners Flynn and Withers opposed, Commissioner Mattke absent), to recommend the City Council approve Rezone 05-003 as presented.

**Action:** A motion was made by Commissioner Steinbeck, seconded by Commissioner Menath and passed 4-2-1 (Commissioners Flynn and Withers opposed, Commissioner Mattke absent), to recommend the City Council approve Borkey Area Specific Plan Amendment 05-003 as presented.

**Action:** A motion was made by Commissioner Steinbeck, seconded by Commissioner Menath and passed 4-2-1 (Commissioners Flynn and Withers opposed, Commissioner Mattke absent), to recommend the City Council adopt an amendment to the Land Use Element to eliminate a portion of the RMF-12 purpose statement that requires multi-family development in this land use category to be attached.

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3. FILE #: **GENERAL PLAN AMENDMENT 06-001(C),  
REZONE 06-001 and CONDITIONAL USE  
PERMIT 06-002**
- APPLICATION: To consider adding an Office Overlay to property designated as Residential Multi-Family Low Density (RMF-8). In conjunction with the General Plan

Amendment is an application for Rezone 06-001 to consider modifying the Zoning Code designation, to add an Office Overlay to the R2 zoning of the site. Also requested is Conditional Use Permit 06-002 to allow a professional office use at this property. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject applications.

APPLICANT: George Duck  
LOCATION: 405 14th Street

Opened Public Hearing.

Letter of opposition was noted as received.

**Public Testimony:** In favor: George Duck, applicant  
Opposed: None

Closed Public Hearing.

**Action:** A motion was made by Commissioner Menath, seconded by Commissioner Holstine, and passed 4-2-1 (Commissioners Flynn and Withers opposed, Commissioner Mattke absent), to recommend the City Council approve a Negative Declaration for General Plan Amendment 06-001(C), Rezone 06-001 and Conditional Use Permit 06-002 as presented.

**Action:** A motion was made by Commissioner Menath, seconded by Commissioner Holstine, to recommend the City Council approve General Plan Amendment 06-001(c) and failed to pass on a vote of 3-3-1 (Commissioners Flynn, Steinbeck and Withers opposed, Commissioner Mattke absent). Therefore, no recommendation was made to the City Council.

**Action:** A motion was made by Commissioner Menath, seconded by Commissioner Holstine, to recommend the City Council approve Rezone 06-001 and failed to pass on a vote of 3-3-1 (Commissioners Flynn, Steinbeck and Withers opposed, Commissioner Mattke absent). Therefore, no recommendation was made to the City Council.

**Action:** A motion was made by Commissioner Menath, seconded by Commissioner Steinbeck, and passed 6-0-1 (Commissioner Mattke absent), to table Conditional Use Permit 06-002 pending City Council consideration of the General Plan Amendment and Rezone.

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4. FILE #: **TIME EXTENSION TENTATIVE PARCEL  
MAP PR 02-0432**  
APPLICATION: To consider a one year time extension to subdivide  
a 1.25 acre parcel into two single family residential  
lots. The Planning Commission will also be  
considering the content and potential application of  
any conditions of approval that relate to the subject  
application.  
APPLICANT: Tom Lopez  
LOCATION: 2230 Prospect Avenue

Opened Public Hearing.

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

Closed Public Hearing.

**Action:** A motion was made by Commissioner Menath, seconded by  
Commissioner Steinbeck and passed 6-0-1 (Commissioner Mattke absent), to approve a  
one year time extension for Tentative Parcel Map PR 02-0432 as presented.

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5. FILE #: **TENTATIVE PARCEL MAP PR 05-0231**  
APPLICATION: To consider a request to subdivide a two (2) acre  
parcel into three single family residential lots. The  
Planning Commission will also be considering the  
content and potential application of any conditions  
of approval that relate to the subject application.  
APPLICANT: Michael Brewer on behalf of William Hedges  
LOCATION: West end of 11<sup>th</sup> Street, west of Chestnut Street

Opened Public Hearing.

**Public Testimony:** In favor: Michael Brewer, applicant representative  
Kathy Barnett  
Ken Reidl

Opposed: Leon Chalet

In favor but expressing  
concerns: Jim Debrauwere  
Linda Debrauwere

A motion was made by Commissioner Steinbeck, seconded by Commissioner Menath,  
and passed 6-0-1 (Commissioner Mattke absent) to approve Tentative Parcel Map PR 05-

0231 with an amendment to Condition No. 5, to require that grading go back to DRC and recommend that the City Council deny the removal of Oak Tree No. 30.

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- 6. FILE #: **CONDITIONAL USE PERMIT 06-001**
- APPLICATION: To consider a request to establish a towing business with impound yard. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
- APPLICANT: Clarence Marques, C & D Towing
- LOCATION: 912-26<sup>th</sup> 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 Holstine, seconded by Commissioner Flynn, and passed 6-0-1 (Commissioner Mattke absent), to approve Conditional Use Permit 06-001 as presented.

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- 7. FILE #: **REZONE 05-007**
- APPLICATION: To consider recommending to City Council, a request to add Planned Development Overlay over an existing 2.47 acre R1-B3 site in order to allow the ability to cluster lots to reduce impacts to oak trees, grading and to allow additional area for future intersection design. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
- APPLICANT: City initiated
- LOCATION: Charolais and South River Roads

Opened Public Hearing.

**Public Testimony:** No public testimony given either in favor or opposed but Kathy Barnett asked questions.

Closed Public Hearing.

**Action:** A motion was made by Commissioner Holstine, seconded by Commissioner Menath, and passed 6-0-1 (Commissioner Mattke absent), to recommend the City Council approve a Negative Declaration for Rezone 05-007 as presented.

**Action:** A motion was made by Commissioner Holstine, seconded by Commissioner Withers, and passed 6-0-1 (Commissioner Mattke absent), to recommend the City Council approve Rezone 05-007 as presented.

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8. FILE #: **STREET NAME CHANGE 06-001**  
APPLICATION: To consider a request to change the name of Old South River Road to either Cary Avenue or Brand Avenue.  
APPLICANT: City initiated  
LOCATION: Old South River Road, north of Niblick 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 Steinbeck, seconded by Commissioner Holstine, and passed 6-0-1 (Commissioner Mattke absent), to change the name of Old South River Road to Brand Avenue.

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**OTHER SCHEDULED MATTERS** -- NONE

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**WRITTEN CORRESPONDENCE** -- NONE

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**COMMITTEE REPORTS**

9. Development Review Committee Minutes (for approval):  
a. February 6, 2006  
b. February 13, 2006

**Action:** A motion was made by Commissioner Holstine, seconded by Commissioner Steinbeck, and passed 6-0-1 (Commissioner Mattke absent), to approve the DRC Minutes listed above as presented.



10. Other Committee Reports:
  - a. Parks & Recreation Advisory Committee: Commissioner Withers reported that she attended a workshop at Hearst Castle and learned other cities have the same issues with city councils hearing/communicating with the Parks and Recreation Committees.
  - b. PAC (Project Area Committee): No report given
  - c. Main Street Program: Commissioner Holstine reported the next Main Street Mixer will be held at the new Mee Center.
  - d. Airport Advisory Committee: No report given.

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**CDBG/REDEVELOPMENT AGENCY HOUSING PROGRAM STATUS REPORT**

Ed Gallagher reported on allocations available and the scheduled workshop with Council on March 1, 2006. All projects are progressing on schedule.

**PLANNING COMMISSION MINUTES FOR APPROVAL**

11.
  - a. February 13, 2006
  - b. February 14, 2006

**Action:** A motion was made by Commissioner Holstine, seconded by Commissioner Menath, and passed 6-0-1 (Commissioner Mattke absent), to approve the Planning Commission Minutes listed above, as presented.

**REVIEW OF CITY COUNCIL MEETING**

12. February 21, 2006

A brief overview of the City Council Meeting of February 21, 2006 was provided by Commissioner Holstine.

**PLANNING COMMISSIONERS' COMMENTS**

- Commissioner Menath noted that the Flamson demolition debris is being stored on Golden Hill Road and asked when the stockpile permit expires.
- Commissioner Holstine, "Welcome Ron!" Also Mee Memorial has announced they are moving in at 4<sup>th</sup> and Spring Streets.
- Commissioner Flynn asked whose job is it to verify that all oak tree mitigation measures are being adhered to. Examples: Park St. and Alley – Gilson (Stables)

project – 4 live oaks have been very badly pruned. 26<sup>th</sup> & Riverside (Thiessen) – Oak tree cut in half! He would like staff to move on both of these.

- Commissioner Hamon asked if on weeks when there are many items on the agenda, could the meetings be started earlier than 7:30 pm.

### **STAFF COMMENTS**

Staff reminded the Planning Commissioners of the Planner's Institute on March 22 through 24, 2006 in Monterey, CA

Susan DeCarli noted a publication she had previously routed to the Planning Commission.

**ADJOURNMENT** at 11:28 pm to the Development Review Committee Meeting of Monday, March 6, 2006 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

**subsequent adjournment** to the Economic Strategy Presentation Workshop of Thursday, March 9, 2006 at 7:00 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

**subsequent adjournment** to the Development Review Committee Meeting of Monday, March 13, 2006 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 14, 2006 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.