

**PLANNING COMMISSION MINUTES**  
**May 13, 2014**

**PLANNING COMMISSIONERS PRESENT:** Barth, Cooper, Donaldson, Garcia, Gregory, Rollins and 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

**PUBLIC HEARINGS**

**1. Planned Development Amendment 01-025, Conditional Use Permit Amendment 01-017, Lot Line Adjustment PR 13-0102 and a recommendation to approve an Oak Tree Removal Permit 14-003 for Entrada de Paso Robles.**

For the Planning Commission to consider a request filed by Ken Hunter to amend a Development Plan and Conditional Use Permit, approve a Lot Line Adjustment, and consider a recommendation to City Council to approve removal of oak trees for the Entrada de Paso Robles Project located at 4380 Highway 46 East.

Open Public Hearing.

***Speakers Representing Applicant:*** Ken Hunter, Randy Ewing, Tim Ronda, Christy Gabler, Dick Pool, Kevin Merk

***Speakers in opposition:*** Kathy Barnett

***Speakers in partial:*** Dale Gustin

***Speakers in favor:*** Dale Evers, Matt Masia

***Speakers with questions:*** Lynn Gamble, John Hamon

Closed Public Hearing.

***Action:***

1. A motion was made by Commissioner Gregory, seconded by Commissioner Vanderlip, and passed 7-0 to adopt a Resolution Amending the Mitigated Negative Declaration with the following changes:
  1. In the twelfth recital, change the date of the Planning Commission Hearing from “May 13, 2013” to “May 13, 2014.”
  2. In the Statement of Resolution change the reference to the Oak Tree Removal Permit from Oak Tree Removal Permit “14-00” to “14-003.”
  3. In the Addendum to the Mitigated Negative Declaration (Exhibit A of the Resolution), make the following changes:
    - a. On Page 15, the following statement is to be inserted as a “preamble”/header to Mitigation Measures AQ-4 through AQ-12:

“The Best Available Control Technology for diesel-fueled construction equipment, as stated in Mitigated Measures AQ-4 through AQ-12 shall be implemented where feasible.”
    - b. On Page 16, Mitigation Measure AQ-15 is a duplicate of AQ-14 and is deleted.
  4. In the Mitigation Monitoring and Reporting Program (Exhibit B of the Resolution), make the following changes:
    - a. Add Mitigation Measure B-13 to read: “Because Kit Fox are attracted to den-like structures such as pipes, all construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored within work areas for overnight periods shall be thoroughly inspected for Kit Fox before the pipe or culvert is buried, capped or moved. If a Kit Fox is found inside of a pipe, the pipe shall not be moved until representatives of USFWS and CDFW are notified.”
    - b. Add Mitigation Measure B-24 to read: “Implement erosion control measures during construction and limit construction activities to dry weather to avoid impacts to wetland habitats related to increased runoff and sedimentation from development areas.”

2. A motion was made by Commissioner Gregory, seconded by Commissioner Donaldson, and passed 7-0 to adopt a Resolution Amending Development Plan PD 01-025 with the following changes:
  1. Condition # 17 as presented was a duplicate of Condition #16. The presented text is deleted and replaced with the following: “The Best Available Control Technology for diesel-fuel construction equipment, as stated in Conditions #18 through #26 shall be implemented where feasible.”
  2. Condition #27 is modified to revise the 15<sup>th</sup> bulleted dust control measure to read as follows, adding underlined text: “Install wheel washers or a stabilized entrance where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. This measure has potential to reduce PM<sub>10</sub> emissions by 25-60%.”
  3. Condition #29 is a duplicate of Condition #28, and is deleted. All subsequent conditions through Condition #58 shall be renumbered accordingly.
  4. Condition #58 (to be renumbered #57 as part of deleting Condition #29) is modified read as follows, adding underlined text: “Prior to construction, retain a qualified biologist, certified arborist, or landscape specialist to clearly mark the drip line area of each tree located outside of, but adjacent to, proposed development areas. The drip line of each tree shall be marked with highly visible flagging or construction fencing.”
  5. New Condition #58 is added to read: “During construction, avoid all soil disturbance, compaction, and grading activities within, and adjacent to, the associated drip line of each tree.”
  6. Condition #64 is modified to read as follows adding underlined text and deleting strike-through text: “The Applicant shall reconfigure the proposed revised project ~~golf course~~ to avoid the mapped VPFS watershed required to be delineated. If complete avoidance is not possible or is infeasible, development within the mapped watershed area shall be minimized to the extent practicable. Residual impacts to the mapped watershed (those remaining after minimization) shall be mitigated in coordination with the USFWS.”
  7. New Condition # 68 is added to read as follows: “Because Kit Fox are attracted to den-like structures such as pipes, all construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored within work areas for overnight periods shall be thoroughly inspected for Kit Fox before the pipe or culvert is buried, capped or moved. If a Kit Fox is found inside of a pipe, the pipe shall

not be moved until representatives of USFWS and CDFW are notified.”

8. New Condition #69 is added to read as follows: “Implement erosion control measures during construction and limit construction activities to dry weather to avoid impacts to wetland habitats related to increased runoff and sedimentation from development areas.” All subsequent conditions are to be renumbered accordingly.
  9. Condition #77 (to be renumbered #79 as part of adding Conditions #68 and 69) is modified to read as follows: “Prior to occupancy of Phase 2, the applicant shall provide two sources of fire water to the project with tie-ins at Airport Road and Dry Creek Road.”
  10. Condition #78 (to be renumbered #80 as part of adding Conditions #68 and 69) is modified to read: “The Discovery Gardens, crop production area, and golf academy shall be irrigated with recycled water provided by the City when available to the site and in accordance with the conditions allowing the use of ground water, per City Council Resolution 04-058. The hotel, casitas, conference center, and all other commercial uses, including landscaping for those facilities shall be served by City water.”
  11. Condition #79 (to be renumbered #81 as part of adding Conditions #68 and 69) is modified as follows adding underlined text and deleting strike-through text: “The applicant will participate in the cost of construction of sewer extensions to the property and will connect to sanitary sewer when available. Phases 1 and 1A ~~The Discovery Gardens phase~~ may operate on a septic system as an interim measure until the City sewer connection is available. Isolated elements of Phase 1, with limited concessions will be permitted to use permanent septic systems, with limited concessions, with the approval of City Council. No hotel or related Phase 2 uses can be occupied without connection to sanitary sewer.”
  12. Exhibit A (Standard Conditions of Approval) is modified as follows:
    - a. To check Box #3 in Section F and enter “Dry Creek Road” on the line above “Street Name” and,
    - b. To uncheck Box #9 in Section F.
3. A motion was made by Commissioner Gregory, seconded by Commissioner Vanderlip, and passed 7-0 to adopt a Resolution Amending Conditional Use Permit 01-017 with the following changes:

1. Condition #2 is modified to read as follows adding underlined text and deleting strike-through text: “Any condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public health, safety and welfare ~~public interest and/or neighboring properties~~, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the conditional use permit.”
  
2. Condition #7 is deleted.
  
4. A motion was made by Commissioner Gregory, seconded by Commissioner Donaldson, and passed 7-0 to adopt a Resolution Approving Lot Line Adjustment Plan 13-0102 as presented.
  
5. A motion was made by Commissioner Gregory, seconded by Commissioner Vanderlip, and passed 7-0 to recommend that the City Council Approve Oak Tree Removal 14-003 as presented.

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**OTHER SCHEDULED MATTERS** – NONE

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**WRITTEN CORRESPONDENCE** – NONE

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**CONSENT CALENDAR**

2. Development Review Committee Minutes (for approval)
  - a. April 28, 2014
  - b. May 5, 2014

3. Planning Commission Minutes (for approval)

April 22, 2014

***Action:***

A motion was made by Commissioner Gregory and Seconded by Commissioner Garcia and passed 7-0 to approve Items #2 and #3.

4. Other Committee Reports:

- a. Parks & Recreation Advisory Committee: Commissioner Cooper
- b. Main Street Program: Commissioner Rollins
- c. Airport Advisory Committee: Commissioner Donaldson

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**REVIEW OF CITY COUNCIL MEETINGS**

May 6, 2014: Reviewed by Commissioner Gregory

**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 Joint Planning Commission/City Council Breakfast of Friday, May 16, 2014 at 7:00 am at Touch of Paso, 1414 Pine Street, Paso Robles;

**subsequent adjournment** to the Development Review Committee Meeting of Monday, May 19, 2014 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles;

**subsequent adjournment** to the City Council Meeting of Tuesday, May 20, 2014 at 7:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles;

**subsequent adjournment** to the Planning Commission Meeting of Tuesday, May 27, 2014 at 7:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles.