

CITY COUNCIL AGENDA

Tuesday, August 17, 1999 7:30 PM

MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL
CONFERENCE CENTER, 1000 SPRING STREET

PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR
TO THE MEETING WITH A COPY TO THE CITY CLERK

5:00 PM - CLOSED SESSION

- a. Pursuant to Government Code Section 54956.7 - Anticipated Litigation Conference with Legal Counsel
Significant exposure to litigation (facts and circumstances not known)
Number of cases: 3
- b. Pursuant to Government Code Section 54957 - Public Employee Performance Evaluation (City Manager)

7:30 PM - CONVENE REGULAR MEETING

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL Councilmembers Tom Baron, Walt Macklin, Frank Mecham, Lee Swanson and Mayor Duane Picanco

PUBLIC COMMENTS

This is the time the public may address the Council on items **other than those scheduled** on the agenda. ***EACH PERSON AND EACH SUBJECT IS LIMITED TO DISCUSSION OF 3 MINUTES DURATION.*** Any person or subject requiring more than 3 minutes may be scheduled for a future Council meeting, or referred to committee or staff. **PLEASE SPEAK AT THE MICROPHONE AND BEGIN BY STATING YOUR NAME AND ADDRESS.** Those persons wishing to speak on any item scheduled on the agenda will be given an opportunity to do so at the time that item is being considered.

PRESENTATIONS & CELEBRATIONS

1. Paso Robles Little League 1999 Tournament of Stars Champion Certificates of Achievement

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NOTICED HEARINGS

2. Appeal of Planning Commission Action on Planned Development 98016 (NOVA Housing Group) (R. Lata, Director Community Development)

Consider Council-initiated appeal of the Planning Commission's action of June 22, 1999 to approve Planned Development (PD) 98016, filed by NOVA Housing Group. PD 98016 is a development plan for an 80 unit apartment complex to be located on the west side of Nicklaus Road, at the southwest corner of its future intersection with Oak Hill Road.

OPTIONS:

- a. **(1) Adopt the Resolution No. 99-xxx to uphold the June 22, 1999 decision of the Planning Commission to approve Planned Development 98016.**
(2) Approve applicants' request for reimbursement agreements for the improvements listed in Conditions #30, 31 and 32 and direct staff to prepare the necessary agreements for Council consent action at a future Council meeting.
- b. **Direct staff to amend, modify or reject the foregoing option and bring back a resolution with appropriate findings for action at a future Council meeting.**

ROLL CALL VOTE

General Plan Amendment 3-99 is comprised of three separate components as stated below. The City Council is authorized by Government Code Section 65358(b) to consider each component as a separate General Plan Amendment, or to consider them jointly as a single General Plan Amendment, or any combination thereof. As proposed, they would be considered as one General Plan Amendment.

Even though the three Land Use components are being proposed as a single General Plan Amendment, it would be appropriate for each component to be considered as a separate public hearing item. (The Circulation Element Amendment is a separate element amendment, not combined with the three Land Use components.)

However, please note that the Council is requested to take a "straw vote" on each of the three parts of the Amendment to the Land Use Element of the General Plan. Final action on the Land Use Element Amendment as a whole should not be taken until the Council completes consideration of the last of the three components.

3. General Plan Amendment 3-99, Part 1 of 3, 21st Street Property (City-Initiated)

For the City Council to consider a City initiated proposal, to change the General Plan Land Use Category for an approximate 1.5 acre site from Public Facilities to Residential Single Family. The purpose is to facilitate the sale and development of property that has been designated surplus by the City Council. After consideration of any public testimony, the City Council should, by separate actions, consider the following options:

OPTIONS:

- a. **(1) Adopt the attached resolution granting a negative Declaration Status General Plan Amendment GPA 3-99 (21st Street Property);**

ROLL CALL VOTE

- (2) Adopt the attached resolution granting approval to General Plan Amendment, GPA 3-99 (21st Street Property);**

STRAW VOTE

- b. That the City Council amend, modify, or reject the above options.

4. General Plan Amendment 3-99 - Part 2 of 3, Specific Plan Amendment 99004, Rezone 99001, General Plan Amendment C1-99 (Circulation) and Street Names within Sub Area B of the Borkey Area Specific Plan (Estrella Associates)

To consider a proposal, filed by Estrella Associates, to change the General Plan Land Use Categories, Specific Plan Maps and Policies, and Zoning Designations for Sub Area B of the Borkey Area Specific Plan. The applicant is seeking to change the minimum residential parcel size and add provisions for 90 multi-family dwelling units within the 481 residential units planned for in the Borkey Area Specific Plan, and to add 6 acres of neighborhood commercial plus a 4.5 acre Commercial Service designation for an RV and Mini-Storage facility. The proposal includes requests to change the General Plan Circulation Element from Collector to Local Street designations and to establish new and revised street names within Sub Area B of the Borkey Area Specific Plan. After consideration of all public testimony, that the City Council, by separate motions, consider the following options:

OPTIONS:

- a. (1) Adopt a Negative Declaration for General Plan Amendment 3-99 (part 2), General Plan Amendment C1-99 (Circulation), Specific Plan Amendment 99004 and Rezone 99001 applications;

ROLL CALL VOTE

- (2) Adopt the attached resolution granting approval to General Plan Amendment 3-99 which includes this component as part 2 of a 3 part general plan amendment;

STRAW VOTE

- (3) Adopt the attached resolution granting approval to General Plan Amendment C1-99 approving the revision to the northern collector being downgraded to a local street;

ROLL CALL VOTE

- (4) That the City Council continue the open public hearing on Specific Plan Amendment 99004 until the regularly scheduled meeting of September 7, 1999 to allow appropriate refinement of exhibits and text to reflect the Council's consensus direction;

ROLL CALL VOTE

- (5) That the City Council introduce the attached Ordinance Amending Section 21.21.020 of the Zoning Code (Title 21) - Maps, and set September 7, 1999 for adoption;

ROLL CALL VOTE

(6) That the City Council adopt the attached resolution approving Street Name Revisions to establish Schoolhouse Circle in replacement of three previous names, and to establish the new names of Clubhouse Drive, and Emerald Oak Lane within the project area.

ROLL CALL VOTE

b. Amend, modify or reject the foregoing option.

5. General Plan Amendment 3-99 - Part 3 of 3, Specific Plan Amendment 99003 and Rezone 99006 (David Weyrich)

To consider a proposal, filed by David Weyrich, to change the General Plan Land Use Category, Specific Plan Density, and Zoning Designation for two parcels of a combined size of approximately 2.8 acres, with the intent to develop up to 12 multiple family units. (The development plan would be subject to separate consideration by the Planning Commission at a later date.) After consideration of all public testimony, that the City Council consider the following options:

a. (1) Adopt a Negative Declaration for the General Plan Amendment, Specific Amendment and Rezone applications;

ROLL CALL VOTE

(2) Adopt the attached resolution granting approval to General Plan Amendment 3-99 which includes this component as part 3 of a 3 part general plan amendment;

STRAW VOTE

(3) That the City Council introduce the attached ordinance granting approval to Specific Plan Amendment 99003 which would modify the text and permissible density for these parcels up to 12 units within the Sub Area D of the Borkey Specific Plan, and set September 7, 1999 for adoption;

ROLL CALL VOTE

(4) That the City Council introduce the attached Ordinance Amending Section 21.21.020 of the Zoning Code (Title 21) to establish R2 zoning for the site, and set September 7, 1999 for adoption;

ROLL CALL VOTE

b. Amend, modify or reject the foregoing option.

General Plan Action: Upon completion of the hearings on GPA 3-99, the City Council is requested to take an action on the Land Use Element Amendments that have straw vote support (in the form of a single City Council Resolution).

ROLL CALL VOTE on Items 3a(2), 4a(2), and 5a(2)

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and, therefore, do not require separate discussion. However, if discussion is necessary, or if a member of the public wishes to comment on any item, the item may be removed from the Consent Calendar and considered separately. Questions of clarification may be made by Councilmembers without removal from the Calendar. Individual items 6-15 on the Consent Calendar are approved by the same vote that approves the Consent Calendar, unless an item is pulled for separate consideration.

6. Approve City Council Minutes of August 3, 1999 (D. Fansler, City Clerk)
7. Approve Warrant Register (M. Compton, Director of Administrative Services)
8. Adopt Ordinance XXX N.S. by regular motion, ordering that the Ordinance be read by title only, then by separate motion adopting the Ordinance amending Chapter 21.31 of the Municipal Code to Establish Regulations for Newsracks on Private Property (R. Lata, Director of Community Development)
9. Adopt Resolution 99-xxx providing permission for Paso Robles Storage LLC to file the necessary development applications within the Airport Specific Plan Area (R. Lata, Director of Community Development)
10. Adopt Resolution 99-xxx authorizing funds to be placed in and spent from Budget Account No. 100.610.5235.200 (B. Partridge, Director of Library & Recreation Services)
11. Adopt Resolution 99-xxx authorizing execution and recordation of the Final Map and Subdivision Agreement for Tract 2311 (Serenade) and Resolution 99-xxx annexing Tract 2311 as part of Subarea 50 to the "Paso Robles Landscape and Lighting District No. 1" (J. McCarthy, Director of Public Works)
12. Approve Resolution 99-xxx authorizing acceptance of certain streets into the City maintained mileage system and approve Resolution 99-xxx authorizing Notice of Completion to be filed, partial release of Performance securities and release of the Payment (Labor & Materials) securities for Tract 2214-1 (Orradre) (J. McCarthy, Director of Public Works)
13. Approve lease with purchase option and authorize City Manager to complete the transaction, execute all necessary documents, and tender the first year's lease payment contingent upon the satisfactory completion of escrow conditions. (J. App, City Manager)
14. Adopt Resolution No. 99-xxx approving the application for grant funds for Barney Schwartz Park (D. Fansler, Management Analyst)
15. Adopt Resolution No. 99-xxx declaring certain City property as surplus and depending the method of disposal (M. Compton, Director of Administrative Services)

ROLL CALL VOTE

PUBLIC DISCUSSION

16. **Prospect Avenue Improvements - Arcierco Development (Tract 2223-1)** (J. McCarthy, Director of Public Works)

Receive an update on Prospect Avenue improvements to be completed by Arciero Development Company.

OPTIONS:

- a. **Receive update on the status of improvements to Prospect Avenue and take possible action if the Council's requirements have not been met. The City Attorney has developed the attached list of options which the City Council could choose to undertake.**
- b. **Amend, modify, or reject the above options.**

ROLL CALL VOTE

17. **Salinas Dam Expansion** (J. McCarthy, Director of Public Works)

Review action options proposed by the City of San Luis Obispo.

OPTIONS:

- a. **Council to authorize the City Manager to hire necessary consultants and take appropriate actions to assist CSPA in the SLO permit hearing protest. The Council to also authorize the City Attorney to proceed with review of the CEQA document and to develop a strategy for the Council to pursue a challenge to the EIR, mitigation plans, and dam transfer.**
- b. **Amend, modify or reject the foregoing option.**

ROLL CALL VOTE

18. **San Luis Obispo Council of Government (SLOCOG) Funding Opportunities** (J. McCarthy, Director of Public Works)

Consider project applications for upcoming federal and state grants available through SLOCOG.

- a. **Council to consider attached project list and direct staff to submit project Nos. 6, 7 and 8 to be submitted to SLOCOG for grants.**
- b. **Amend, modify or reject the foregoing option.**

ROLL CALL VOTE

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19. **Buena Vista Improvements for Cuesta College** (J. McCarthy, Director of Public Works)

Consider alternative designs for Buena Vista Road.

OPTIONS:

- a. **City Council to direct staff to proceed with the construction of retaining walls as part of the widening of Buena Vista Road in order to preserve oak trees.**
- b. **Amend, modify or reject the foregoing option.**

ROLL CALL VOTE

20. **Establishment of Youth Commission** (B. Partridge, Director Library & Recreation Services)

Consider establishing a Youth Commission as an advisory body to the City Council.

- a. **Authorize attached Resolution No. 99-xxx, establishing the Paso Robles Youth Commission.**
- b. **Amend, modify or reject the foregoing option.**

ROLL CALL VOTE

CITY MANAGER

CORRESPONDENCE

ADVISORY BODY COMMUNICATION

21. **Receive and file minutes for the following Advisory Meetings:**

- a. **Paso Robles Library Board of Trustees meeting of July 8, 1999**

VOICE VOTE

AD HOC COUNCIL BUSINESS

ADJOURNMENT: to AN ADJOURNED REGULAR MEETING OF THE CITY COUNCIL IN CLOSED SESSION ON THURSDAY, AUGUST 19, 1999, AT 6:00 PM IN THE 2ND FLOOR CONFERENCE ROOM, 1000 SPRING STREET; AND TO THE REGULAR CITY COUNCIL MEETING ON TUESDAY, SEPTEMBER 7, 1999, 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR COUNCIL MEETING IS AUGUST 27, 1999