

PLANNING COMMISSION

MINUTES

February 25, 2003

**PLANNING COMMISSIONERS PRESENT:** Calloway, Ferravanti, Flynn,  
Johnson, Steinbeck, Warnke

**PLANNING COMMISSIONERS ABSENT:** Kemper

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

**STAFF BRIEFING:** None

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

**PRESENTATIONS:** None

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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 #: **TIME EXTENSION TENTATIVE TRACT 2391 and PLANNED DEVELOPMENT 00-025**
- APPLICATION: To consider a one year time extension that would allow the subdivision of an approximate 2.53 acre residentially zoned parcel into eight 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: Doug Sholders on behalf of Don Benson.
- LOCATION: Beechwood Drive between Meadowlark and Creston Roads.

Opened Public Hearing.

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

Closed Public Hearing.

**Action:** A motion was made by Commissioner Warnke, seconded by Commissioner Calloway, and passed 6-0-1 (Commissioner Kemper absent), to approve a one year time extension for Tentative Tract 2391 and Planned Development 00-025 as presented.

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- 2. FILE: **CHANDLER RANCH AREA SPECIFIC PLAN**
- APPLICATION: To receive an update on the status of the project; to consider findings and recommendations regarding 1) circulation system for the Chandler Ranch area; 2) selection and definition of development areas; 3) format for subsequent presentation and review.
- APPLICANT: City initiated
- LOCATION: Generally bounded by Highway 46 east on the north, City limits and Our Town on the east, Linne, Fontana and Sherwood Roads on the south, and portions of Golden Hill Road on the west.

**Public Comment and Input:**

- T. J. Joliker, concerns with Airport Road/Hwy 46 intersection
- Steve Meixner, seeking to get Airport Road alignment established.

- Chuck Mendelsohn,
  - questions regarding cut and fill vs. building to topography;
  - has concerns with homes settling that have been built on cut and fill;
  - feels that working with topography should be looked into.

- Larry Werner, North Coast Engineering

“I want to dispel any rumors about this being a short meeting. Thank you for having the opportunity to present this project and just for the sake of newer Planning Commissioners and the audience I’d like to give you a little bit of background on who we are and how we have approached this property and how we all fit into this process. As I said I’m from North Coast Engineering, we’re a local engineering firm in town and we have been working on this property since early 2001 when we were approached by the Wurth’s to help guide them through the Specific Plan process so that they would have a local representative to explain the process to them and in the process of reviewing the initial setup of the Specific Plan Process by the City it became clear that we needed to have a fairly wide range of expertise to help the property owner guide them through this process. So we assembled a team which consists of land planners, home builders, land use attorneys, biologists, market study people, and we approached this property from a very analytical aspect to be able to analyze the property, see what was appropriate for the property and develop our own scenario for the development of this property based on a very scientific approach to the property itself. And so we’ve been in this process from the beginning and we are still here. We prepared topographic maps, aerial photographs, all the things you’ve seen tonight were products that we prepared, so there has been no hesitation on the behalf of the property owner to contribute extensively to the furtherance of this Specific Plan in a manner that will suit both the City and the property owner.

I’d like to touch bases on just a couple of issues and I think we will get into the details of some of these in subsequent meetings. First of all, Airport Road; We are very pleased that we’ve seen the beginnings of some support for the alignment of Airport Road which we had supported from the beginning. We felt that in the situation with the ex-consultant that we were in an adversarial position trying to promote this alignment. We first looked at the original General Plan alignment because as Mr. Rickenbach explained it looks like the logical place to put the road. That was our first assumption. It didn’t take very much engineering analysis to determine that the amount of grading and the grading impacts, the oak tree impacts and the general noise impacts from putting a high speed arterial road down the middle of the valley was just plain bad planning. And so we looked at other options and we eventually kept working ‘til we got to the eastern alignment which does have a couple of challenging places, but in our opinion is well and clearly the best option for the alignment of Airport Road.

As far as bridges and any tendency to recommend anything right now, I think that’s a little bit presumptuous to do that because I think that’s part of the analysis that will be done on an environmental level and so I don’t really want any preconceived notions

about what is the best way to do that until we actually analyze the data. So I would appreciate taking that into consideration when the appropriate time comes.

As far as the road itself goes, one thing that has not been touched on very much tonight, which I think is important, is the fact that what we're trying to do is we're trying to cram a urban arterial road through a very rural challenging topography, and when you think of arterials you're thinking of, like the boulevard with the median and the parking on both sides, which is totally appropriate for your major thoroughfares through a city. This is more characteristic of a rural highway than it is of an urban arterial. And so we think that there should be some consideration to the fact that not only should you be able to adjust both the median both vertically and horizontally, but in some places you may not want to have a median because the grading in certain specific areas may be reduced significantly by not having a median and we also think that there should be some consideration for removing parking on both sides of the street and making it more of the highway of which it will be because, quite frankly, I can't imagine that that's going to be a place where people will park. So we can lose at least 16 feet in width right there which will significantly reduce the grading. These are the things I think we should be thinking about and we need to think about these things now because you guys need to give direction to the consultant to look at these types of approaches, so that we can have the option of narrowing the road vertically, changing the elevations of the two lanes, be able to blend into the topography a lot more easily if these things can be considered in the process and now's the time to do it. So I would appreciate your support on that.

Grading: Probably the most sensitive issue of this whole project except for the Oak trees. And we are very sensitive to the grading on this site as well as we are to the preservation of the Oak trees. We have inventoried about 1,300 Oak trees which we feel are under the most significant area of impact and so that we can very easily identify the locations of those trees and quantify any impacts on those. We've taken a similar approach on the grading and that is, we have actually done full scale grading plans, very high detail level with the basic premise of our approach of the land use on this property was not to shoot for some type of number, not to shoot for a specific number of dwelling units on this property or a specific type. We started out the process by hiring a market study and we paid a market study corporation who is very experienced at doing market studies for large land use developments to do a market study for us to tell us what the product demand was for Paso Robles. What was the demographics, what was the income level, what were people wanting to buy, what was the need in this area and so we basically started our approach by finding out what the need was. And then we took the need and we tried to apply that to the land by basically just working with the land and as a result of that came out with a very highly detailed grading plan. I can't help but express the concern that I have that we have gone to this level of detail which we have shared and I think everyone should have a multitude of things that we have submitted to the City Council and the Planning Commission including the current sketchbook which we provided that we have tried to portray our approach to the grading. So we're concerned that we're going to be comparing apples to oranges here, but our level of detail will be very

clearly worked out, very available and should be easy to understand but the other options may be vague. So that's a concern. I'm not sure how we get around that issue.

I'd like to back just a little bit in terms of a quick history on the grading in Paso Robles. Interesting that the two gentlemen that spoke were from Via Promesa which is a project which is located on the north side of Union Road. And many of the Planning Commissioners that are on the Planning Commission now will recall the days when those projects were approved. Those projects were approved at a time when the feeling was that grading should be restricted to the roads and everyone should build their homes to the contours of the land. And those subdivisions, Sunset Ridge and the other subdivisions that occur along Union Road there, including the subdivision called The Summit, which is located on Golden Hill Road just off of Union Road a ways, were all designed with roads that were the only cut and fill on the projects and the lots were all natural grades. Nearly every single one of those subdivisions went bankrupt because people would not buy those lots. Because they did not want to build their house on sloping lots. And the gentleman has a good point, yes, in Berkeley they build houses on hillsides but they don't have any other opportunity, those hills are pretty radical but he bought a house that was on a pad. That's what people want. In 1997 the City Council revised the ordinance to allow pad grading with specific guidelines as to slope height, distance between lots, benching and all the characteristics to try to find how to grade padded lots. The Summit, Tract 1886 over there by the Culinary Institute there was one of the first ones to come in with the new grading concept almost all those lots were sold within 9 months of being graded flat pads. And the development took off because people wanted that type of development. So I'm a little concerned that we talk about building these homes on slopes and we have plans in our scenario, quite a number of plans where we do propose building with the slopes. But the point I'm trying to make is it's going to take a little bit of both types to be able to make this property work.

Subsequently to the grading being revised to provide these standards, the whole area along Union Road was all pad graded. Those lots now are all built, people are moved in, the only lots that were slow to develop were the ones that were not able to be pad graded within the constraints. So that worked out fine except that they were all retrofits. And those retrofits don't always work out the best. So it was okay but it was not the best way to do it. Unfortunately there were a couple of instances, in particular, without pulling any punches, is the project around Golden Hill Road by the water tanks which alarmed many of the citizens of Paso Robles and rightfully so, because it was pretty much a travesty of any good planning or engineering. Basically what happened was, there were hills there and they just chopped them off and made these stepped little pads and people were outraged and they went to their City Councilpeople and the City Councilpeople said oh my God, the sky is falling, we need to do something about grading. And they did. But what they did was, they reverted back to the original ordinance with the understanding that the grading would be revisited as the General Plan process proceeded, so that they would have some ability to be able to analyze what's left in town. What do these undeveloped

properties, what are the characteristics of the properties, and how are we going to approach the grading on these properties? They weren't, I don't think, saying forever and ever, you're never going to grade a pad in Paso Robles again. That was not their intent. Their intent was to put it into a holding pattern until we could figure it out. And I think that was a smart move but now is the time to figure it out so I think, if we're headed to a point where we're trying to make the Chandler Ranch project fit within the current grading ordinance we're missing a piece of this history that is very important. And I'm a little concerned that we have not revived this look at the grading as part of this project which is a perfect opportunity to say, hey, what do we want in grading. We've submitted all kinds of suggestions with our graphics and plans and we have yet to get any feedback to say we like this, we don't like this, the whole idea is to have an interaction of ideas and we have submitted that we've heard nothing. So, we would like some feedback. We'd like to know what you think. And personally I think it's kind of a little bit late to get to the scenario stage and you've got to be honest about it, the meeting's two weeks from now, there's not a lot that's going to happen in the next two weeks. So it's pretty much cast in stone what's going to happen at the next meeting. So, that's where we're feeling about grading.

I'd like to just touch on one other issue that has plagued us, quite frankly, and that is the Airport Land Use Plan. When we started this process we were told that we were going to have that Land Use Plan early summer last year. Now we're being told that we're going to get it early summer, maybe spring, this year. We want to know when we're going to get it and why we're not getting it. It has a significant impact on this project and it's almost foolhardy to be going ahead on this property without knowing what's going on in that area, because you're looking at just part of the puzzle, and what are we going to do, come back later and try to figure out the rest? I think we need to find out where this thing is and how this affects our property. It's a significantly important land use plan as far as this specific plan goes and as far as the General Plan goes and I'm a little bit befuddled as to why we're not just hammering to get it done. I've tried to cover a lot of subjects; it's a very complex project. We've spent thousands of hours working on this project, analyzing, rethinking, taking new approaches, working with the City, working with Consultants. We've come a long way, we've seen the light at the end of the tunnel, we would appreciate the thing moving along and appreciate your support and if you have any questions or comments I would be pleased to try to answer them."

- Terry Galloway, The Galloway Group

"Piggybacking on Larry's comment I want to identify myself as the planner that worked on the alternative for the Wurth Family, the major property owner. I want to piggyback just real quickly on the Airport Land Use issue. And the reason I want to do that is because in the presentation tonight there was a statement on the Powerpoint presentation, that it was prudent to minimize development intensity in the northern area because we don't know what's going on yet. And I don't want to be contrary right off the bat but I would say that that's not a good planning approach.

A better planning approach would be to have two alternative plans for the north end depending on what you would foresee the land use plan to say in the future and what the land use plan currently is, the previous plan because we have an EIR a year old that tells us what the environmental impact of noise and safety impacts of the airport was a year ago. And waiting on a plan is not really a preferable option for us because we would like to proceed through the process but make wholesale giveaways in the north end of this property on the basis of a supposition I think is a bad idea.

So I would say that the first thing that I'd like to say is that the Airport Land Use Plan needs to come about in a timely manner because of the effect it has on the major land owner in this Specific Plan. And to give up density or development of any sort on the northern end of this property on potentially what that could be would not be wise. Secondly the second, if I'm going to proceed on my contrary line of thinking here, flatter areas could support development with less grading. That was the statement that was made. And I think that that statement needs a little tweaking. I think that there are ways to approach mass grading in a sensitive manner and there are ways to do it in an insensitive manner. And there are degrees to which you can do it. We took a tactic on planning the Specific Plan and I'll get to my third point about the Specific Plan in a second, we didn't take the City's grading ordinance as it stands now which, based on how I've been told the history and I was told by the same person that just told you the history, was that that a grading ordinance that's been largely untested, and never tested on a site, a piece of property of this size. I read the ordinance, I didn't see how that ordinance would allow you to meet some of the development objectives of this piece of property. One is to develop in a timely manner.

Another is to have a development plan that has the financial revenues to put in bridges, roadway improvements, major intersections, crossings over freeways, things like that, in a manner in which the City would anticipate them to happen and not have them be, well we have a mini-general plan approved but we really don't have any answers to when this is going to occur because we haven't added the fiscal impact of it. A better statement to say about the flatter areas is that the flat areas can accept more development intensity. And the steeper areas and the areas that have Oak trees and other environmental considerations are suitable for less intense development. It's not accurate, I believe, to say that the flat areas could support development with less grading. Because it's too generalized. And I believe and I think I've said this in several meetings that the solutions and the answers to this Specific Plan lie in the details not the generalities. That's the reason why we went to the level of detail we did is we were interested in specific answers because we represent the development side of it. We wanted to make sure that what got approved meant something, and that we knew that that meant this many houses and they could be priced at this point and they would meet the needs of the public community and they would address not only the marketing study but the General Plan Housing Element that identifies the need for more attainable housing in the City. That is a key element of the grading approach we took.

I look at the plan that was presented tonight and the conclusions that were reached. The conclusion that was reached was that Airport Road should go on the east side of the property. We agree, we have said that from the very beginning. Said that the solution for the alignment of Gilead was roughly what was presented when we presented, when we presented it in June. The Sherwood Road alignment, although I know there's some discussion about where that's the most appropriate alignment is largely in context with what we proposed. When we started this process the biggest issue was we want to save the Oak trees and we looked at a master plan that had been proposed to the City a year or so ago that made no provision for such. The biggest issue was the Oak trees. We concurred. I heard Bob Lata say something to me in the very first meeting was that the EIR states what is significant impact of Oak tree loss I think at 25%. Bob said the loss of any oak trees is a significant loss as a City. And it was a significant loss to us as planners because we know that the environment and the setting are the important things that will make this development a success. If you read the marketing study, and I know that you have to separate market issues from planning issues, but if you read the marketing study it says that the opportunity lies here for a master planned development, not a series of subdivisions, not individual houses built on a grading ordinance, that's not what the opportunity is, that's something less than what the opportunity that lies here is.

And I think that it's important when you say, well you know, your team came up with a good alignment for Airport Road, came up with a very good plan for preserving Oak trees, came up with a very good alignment of Gilead Lane, maybe you should take the next step and say maybe we had a very good idea for how the site should be graded. We were very sensitive to that. The staff concerns came back to us, a one page list, cited that there were concerns about how we were grading it because they didn't understand what we intended. So we put together a sketchbook kind of trying to show what we thought was pretty well representative of the grading plan submitted months before. But my point in all this is that I think what might be considered and what I'd like to put out on the table to be considered is to take the Chandler Ranch property portion of the Chandler Ranch Specific Plan and put a dashed line around it and say we'd like to look at, from an EIR standpoint the impacts of taking that piece exactly as we're proposing it. And analyzing that because I think what we're talking about here is a big effort, like the super bowl and we're in the fourth quarter here and we've got to play the fourth quarter.

Having the Airport Road in the right place would minimize the grading, having Gilead Lane in the right place would minimize the grading, staying out of the oak trees so you can save them would minimize grading and then saying well all the grading impacts that we've saved on a regional scale by doing all those things right is offset by a different grading scheme than what we've proposed before is a viable alternative and the criticism that we're concerned about the grading because it doesn't conform to our ordinance that's been largely untested shouldn't be the concern. The concern should be what is it going to look like and feel like when it's done. And I would say to you that the grading impact, it's not correct to say that the flatter areas can support development with less grading. It's correct to say that sensitive mass

grading can achieve a very positive visual edge and grading impact and a lot of land forms can be maintained. I think if you look at the grading plan you'll see daylight conditions where we hit natural along the edge and you can see a lot of things we talked about in terms grading which are just as acceptable although they don't meet the existing ordinance.

I propose to you tonight that there's a specific plan in process that has opportunities both for the City and the landowners to mutually benefit if you don't tie yourself to the existing ordinances. The clearest example is if you don't tie yourself to existing General Plans. You can easily say here's the alternative zero plan, here's three others that don't conform to the General Plan. You can say, these are three plans that conform to the City's grading, here's one that doesn't but the fact that it doesn't conform to a three page piece of paper doesn't make it better or worse. What makes it better or worse is how it's going to end up and whether you will be able to meet the housing demand in the City and whether you'll have a product that preserves the most open space and creates the best visible edge.

So I would propose to you that you look at keeping the Chandler Ranch property intact and using the Specific Plan ordinance or mechanism to do so, and I would suggest to you that you look at least in a vignette portion at comparing apples to apples, otherwise it's just too easy of a decision to say lets remove all of the variables except for the density and make a decision do we want 400, 600, 800 1,000 units. It's just taking a much more sophisticated problem and boiling it down to something that's too simplistic, too general, and the answers are in the details. Thank you."

- Kathy Barnett,
  - Link of grading to storm drainage plan;
  - Supports Airport Road alignment – buffer;
  - Reference to prior Oaks/EIR;
  - Tie number of homes to Oak impacts;
  - Doesn't want school at north end of property – schools should be located where there is greatest density.
  - Is there a need for more than one school site? – South of
  - Contract content
  - The schedule was not available in the Library;
  - Would like information further in advance.
  
- George Turner,
  - Concern with Gilead Road alignment – seeking mitigation during construction.
  
- Commissioner Steinbeck,
  - Questions regarding Airport Land Use Plan;
  - Questions regarding Airport Road design details;
  
- Commissioner Calloway,

- Kudos on Powerpoint presentation;
- Need more detail on grading – where? how much? alternatives?
- Commissioner Ferravanti,
  - ¼ mile from Highway 46.
- Edith Spencer,
  - Questions regarding grading – can't just toss aside the Grading Ordinance;
- Mike Menath,
  - Two worst examples of grading in the City are Tract 2350 (Weyrich) and the new area of Deer Park;
  - Expressed concern for the number of acres needed for a new school;
  - School should be located to the south with greater density;
  - Need to look to realigning Sherwood Road;
  - Supports location of Airport Road on the East side
- Larry Werner,
  - The school district has requested placement of the school at the north end;
  - “did not presume any density”;
  - schools want 10 – 12 acres for their sites;
- Commissioner Steinbeck,
  - Need as much grading detail as possible;
- Commissioner Johnson,
  - Traffic circulation impacts on (off site) arterials;
  - Focus on traffic impacts;
- John Rickenbach,
  - Concept vs. seeing grading;
  - Impacts/timing;
  - Variables;
    - Roads (done);
    - Schools – can provide two options
    - Areas of development – varying degrees of intensity.
  - Specific Plan vs. development plan;
 Detail for development areas.
- Bob Lata,
  - Grading Ordinance as a baseline;
  - Want to insure the Planning Commission and City Council have a full understanding of what is ultimately adopted.
- Commissioner Flynn,
  - Grading is the primary issue – don't want to see mistakes made again.

- “Pad grading is not going to work – don’t want to see it”
- Make the structure fit the hill, not vice versa to accommodate production homes.

This was an update on the status of the project and no action was taken by the Planning Commission.

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**OTHER SCHEDULED MATTERS**

- 3. FILE #: **MISCELLANEOUS 03-001**  
 APPLICATION: Multi-Tenant Monument Sign  
 APPLICANT: Nielson  
 LOCATION: 1030 Railroad Street

The item was discussed by the Planning Commission.

**Action:** A motion was made by Commissioner Warnke, seconded by Commissioner Ferravanti, and passed 6-0-1 (Commissioner Kemper absent) to approve Miscellaneous 03-001 as presented.

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- 4. FILE #: **SITE PLAN 03-005**  
 APPLICATION: Determination of alternate front yard setback.  
 APPLICANT: John Hutchings  
 LOCATION: 304 Blackburn Court

The item was discussed by the Planning Commission.

**Action:** A motion was made by Commissioner Warnke, seconded by Commissioner Ferravanti, and passed 6-0-1 (Commissioner Kemper absent) to approve Site Plan 03-005 as presented.

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**WRITTEN CORRESPONDENCE** -- NONE

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**COMMITTEE REPORTS**

- 5. Development Review Committee Minutes (for approval):
  - a. February 3, 2003
  - b. February 10, 2003

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

6. Other Committee Reports:
  - a. Parks & Recreation Advisory Committee: No report given.
  - b. PAC (Project Area Committee): No report given.
  - c. Main Street Program: No report given.

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

No report given.

### **PLANNING COMMISSION MINUTES FOR APPROVAL**

7. February 11, 2003

**Action:** A motion was made by Commissioner Ferravanti, seconded by Commissioner Warnke, and passed 6-0-1 (Commissioner Kemper absent) to approve the Planning Commission Minutes of February 11, 2003 as presented.

### **REVIEW OF CITY COUNCIL MEETING**

A brief overview of the City Council Meeting of March 18, 2003 was presented by Commissioner Flynn.

### **PLANNING COMMISSIONERS' COMMENTS**

None

### **STAFF COMMENTS**

Staff will gather and make copies of incoming correspondence for the Chandler Ranch Area Specific Plan and the General Plan Update and make distribution to the library for public review.

**ADJOURNMENT** to the Development Review Committee Meeting of Tuesday, March 3, 2003 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

**subsequent adjournment** to the General Plan ad-hoc Committee Meeting of, Thursday, March 6, 2003 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 10, 2003 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 11, 2003 at 7:30 pm at the City Hall/Library Conference Center, 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.