

Thursday, April 28, 2016

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

Hearings are advertised for 9:00 a.m. Hearings generally proceed in the order listed, unless changed by the Planning Commission at the meeting.

ROLL CALL:

PRESENT: Kenneth Topping; Eric Meyer; James Harrison; and Don Campbell

ABSENT: Jim Irving

PUBLIC COMMENT PERIOD

1. Members of the public wishing to address the Commission on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.

Eric Greening: speaks

PLANNING STAFF UPDATES

2. This is the time set for Planning Staff updates.
Ellen Carroll, Environmental Coordinator updates Commissioners on their near term schedule.

CONSENT AGENDA:

3. January 28, 2016 draft Planning Commission minutes

Eric Meyer: points out correction to the vote for Item 4 on Page 2 of 7. Vote should be corrected to note Jim Irving's absence.

Jim Harrison: notes a vote should be added to the motion to go past 12:00PM on Pg. 6 of 7 and the vote accepting all testimony and correspondence corrected to indicate Jim Irving's absence on Pg. 7 of 7, and the adjournment time should be corrected to 4:03 PM.

- 4. February 4, 2016 draft Planning Commission minutes
- 5. February 5, 2016 draft Planning Commission minutes
- 6. A request for a second time extension by CHAD WITTSTROM for Vesting Tentative Tract Map 2723 to subdivide an existing 48.63-acre parcel into 38 parcels of 1.0 to 5.0 acres each for the purpose of sale and/or development and one 1.09-acre public lot to be offered to the San Miguel Community Services District for construction of a future water tank, and designate the project site as a TDC Receiver Site with a 50 percent density bonus (4 additional lots). The project includes off-site road improvements to River Road, Martinez Drive, and Magdalena Drive. The project will result in the disturbance of approximately 3.3 acres of a 48.63-acre parcel for the creation of two on-site roads. The proposed project is within the Residential Suburban land use category and is located at the terminus of Martinez Drive, approximately 1,200 feet east of North River Road in the community of San Miguel. The site is in Salinas River Sub-area of the North County Planning Area. A Negative Declaration was issued on April 17, 2006 for this project.

County File Number: SUB2004-00306	Assessor Parcel Number: Multiple
Supervisorial District: 1	Date Accepted: N/A
Project Manager: Jo Manson	Recommendation: Approval

Ken Topping: would like confirmation that there is secondary access.

Terry Wahler, staff: confirms there is secondary access.

- 7. A request for a first time extension by IVDC, LLC for Vesting Tentative Tract Map 3010/Development Plan/Coastal Development Permit to subdivide an existing approximately 12,152 square foot parcel into eight residential air space condominium units ranging from 635 square feet to 1,550 square feet each available for sale, within a single “u” shaped building constructed around a center courtyard. The project will result in the demolition of the existing structures on site and grading of the site resulting in disturbance of the entire 12,000 square foot parcel. The project includes off-site street improvements such as widening and installing curb, gutter, and sidewalk along San Miguel Street. The proposed project is within the Residential Multi-Family land use category and is located at 235 San Miguel St. in the community of Avila Beach. The site is in the San Luis Bay (coastal) planning area. A Negative Declaration was issued on December 17, 2009 for this project.

County File Number: SUB2008-00059	Assessor Parcel Number: 076-196-003
Supervisorial District: 3	Date Accepted: N/A
Project Manager: Jo Manson	Recommendation: Approval

Approve the **first time extension request** for Vesting Tentative Tract Map 3010/Development Plan/Coastal Development Permit.

Motion by:

Second by:

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:

8. A request for a second time extension by WOODRUFF INVESTMENT CORPORATION for Vesting Tentative Tract Map 2743 and Conditional Use Permit to subdivide an existing 24,975 square foot parcel into seven residential parcels ranging from 1,505 square feet to 2,396 square feet each and one open space parcel at 14,996 square feet for the purpose of sale and/or development. The project will result in the disturbance of the entire 24,975 square foot parcel. The division will require extending 9th Street and James Street through the property. The proposed project is within the Commercial Retail land use category and is located on James Way, 200 feet south of 8th Street, in the community of Templeton. The site is in the Salinas River Sub-area of the North County Planning Area. A Negative Declaration was adopted on June 26, 2003 for the project site that was deemed adequate and was relied on by the Planning Commission on February 23, 2006 when Tract 2743 and Conditional Use Permit were approved.

County File Number: SUB2005-00010

Assessor Parcel Number: 041-202-009

Supervisorial District: 1

Date Accepted: N/A

Project Manager: Jo Manson

Recommendation: Approval

Thereafter on **Motion by:** Ken Topping, **Second by:** Eric Meyer

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim				
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

The commission approves Consent items 3 through 8, noting corrections to be made to Item 4 on Pg. 2 of 7 correcting the vote to indicate Jim Irving absent; correcting Item 7 on Pg. 4 of 7 adding a vote to the motion to go past 12:00 PM; correcting the vote on Page 7 of 7 for accepting testimony and

correspondence to indicate Jim Irving absent, and adding the adjournment time of 4:03 on Pg. 7 of 7.

HEARINGS: (Advertised for 9:00 a.m.)

9. Continued hearing to consider a request by HURLEY RANCH, LLC for a Vesting Tentative Tract Map (Tract 3053) to subdivide three existing parcels (total 66.5 acres) into 13 residential lots ranging in size from 5.10 to 5.29 gross acres. Twelve of the 13 lots (proposed Lot 2 to 13) will be for sale and/or development; the existing residence on the site will remain on the proposed Lot 1. The project includes construction of a private access road with associated drainage and utility improvements and a creek crossing. Each parcel will be served by individual well and septic systems. The proposed project will result in site disturbance of approximately 3.6 acres on an overall 66.5 acres site. The project is located on the west side of Old Oak Park Road, between Vetter Lane and Erhart Road in the Arroyo Grande fringe area, about 1.2 miles north of the City of Arroyo Grande. The project is within the Residential Rural land use category in the San Luis Bay (south) planning area. Also to be considered is the approval of the environmental document. A mitigated negative declaration as issued on February 25, 2016. CONTINUED FROM 4/14/16.

County File Number: SUB2013-00009

APN(s): 044-368-001, 044-561-006 & 007

Supervisorial District: 4

Date Accepted: December 4, 2015

Project Manager: Schani Siong

Recommendation: Approval

Schani Siong, Project Manager: presents staff report via a Power Point presentation.

Eric Meyer: ask if there are calculations for total build out with Ms. Siong deferring to hydrogeologist Spencer Harris

Spencer Harris Hydrogeologist: explains calculations used in report.

Don Campbell: asks how large the basin is with Ms. Siong explaining.

Commissioners and staff: discuss mutual water companies and how they relate to this proposal.

Ken Topping: asks if this basin is sizable enough for sustainable ground water management.

James Caruso, Staff: reports this basin is not on the list.

Commissioners: begin their deliberations.

Eric Justesson, agent: supports staff's recommendation and adds information about ground water resources in terms of the City of Arroyo Grande.

Don Campbell: opens Public Comment

Terry Fibbich, Stewart Robinson, Clyde Grey, and Kevin Johns: speak.

Commissioners: briefly deliberate.

Thereafter on **Motion by:** Eric Meyer, **Second by:** Ken Topping, and on the following vote:

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim				
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

The Commission adopts the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. and approves Vesting Tentative Tract 3053 based on the findings listed in Exhibit A and the conditions listed in Exhibit B; Adopted

- 10. A request by BILL & BECKY ALLEN for a Variance/Coastal Development Permit to allow grading on slopes in excess of 30% for a three level single family residence of approximately 2,734 square feet with an approximately 784 square foot garage on a 6,250 square foot lot. The proposal includes the following components: (1) grading and excavation for the lower level garage, driveway, grade transition to the street and building foundation; (2) site disturbance of approximately 4,200 square feet including on-site drainage improvements; and (3) development of the residence with perimeter landscaping. The proposed project is within the Residential Single Family land use category and is located at 2733 Richard Avenue, in the community of Cayucos. The site is in the Estero planning area. Also to be considered is the approval of the environmental document. A general rule exemption was issued for this project.

County File Number: DRC2010-00013
 Supervisorial District: 2
 Project Manager: Cody Scheel

Assessor Parcel Number: 064-211-041
 Date Accepted: December 18, 2015
 Recommendation: Approval

Don Campbell: asks for ex-parte contacts with none being reported.

Cody Scheel, Project Manager: presents staff report via a Power Point presentation.

Commissioners and staff: discuss the lot sizes on Richard Ave in terms of maximum development on this site.

Karen Nall, staff: provides history on how these lots were acquired. Reports this lot is actually 2 lots to build one house. Explains with this lot you may have a secondary dwelling of 640 feet requiring extra metering, however no secondary dwellings have been requested in this area.

Commissioners and staff: discuss lot consolidation in terms of requirement of such with Mr. Wahler stating typically the department does not require lot consolidation and performance bonds.

John McDonald, Architect: explains design, setbacks, lot sizes and addresses letter of concern referencing professional services mitigating the concerns.

Eric Meyer: asks what the vote was from the Cayucos Advisory Council with Mr. Wahler stating it was a unanimous approval vote.

Don Campbell: opens Public Comment

Vernon McDonald: speaks.

Commissioners: discuss road damage from vehicles associated with construction regarding the county owned road, and privately owned roads.

Glenn Marshall, Public Works: reports Richard Ave. is not currently County maintained. Adds if county can attribute damage to the County maintained portion of the road from construction to the residence, Public Works will come and inspect.

Thereafter on **Motion by:** Ken Topping, **Second by:** James Harrison, and on the following vote:

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim				
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

The Commission approves the Variance/Coastal Development Permit DRC2010-00013 based on the findings listed in Exhibit A and the conditions listed in Exhibit B; Adopted.

- 11. A request by BETTY THOMAS for a Variance to allow for grading of a driveway on slopes greater than 30 percent and development of a primary dwelling of 2,500 sq. ft and a secondary dwelling of 1,200 sq. ft. Grading shall consist of 3,950 cubic yards of cut and 2,680 cubic yards of fill with total site disturbance of approximately 63,000 sq. ft. The site is located on the north side of Peachy Canyon Rd, approximately ½ mile west of Merry Hill Rd, west of the City of Paso Robles in the Salinas River sub-area of the North County Planning Area. Also to be considered is the approval of the environmental document. A General Rule Exemption was issued on March 18, 2016

County File No: DRC2015-00068
 Supervisorial District: 1
 Project Manager: James Caruso

Assessor Parcel No: 018-019-005
 Date Accepted: March 4, 2016
 Recommendation: Approval

Don Campbell: asks for ex-parte contacts with none being reported.

James Caruso, Project Manager: presents staff report via a Power Point presentation.

Jerome Derusso, agent: shows a Power Point presentation.

Eric Meyer: asks if as a condition of approval requirement of vegetation of the roof would be agreeable to the client with Mr. Derusso responding. States he he will not ask for this to become a condition of approval.

Michael Donovan, contractor: discusses building road, in terms of retaining wall being built.

Don Campbell: opens public comment.

John Thornton: speaks.

James Caruso, Project Manager: reads into the record a letter received from the City of Paso Robles, regarding fees in terms of Condition 18 and suggestion by staff this condition be deleted.

Eric Meyer: would like the retaining walls to match the balance of the project with Mr. Caruso reading an added condition 21 into the record regarding mitigation of such.

Thereafter on **Motion by:** Eric Meyer, **Second by:** Ken Topping, and on the following vote:

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim				
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

The Commission approves the Variance DRC2015-00068 based on the findings listed in Exhibit A and the conditions listed in Exhibit B, deleting Condition 18, and adding new Condition 21 to read: "21. Driveway retaining walls shall be designed in a manner similar to the construction of the residences." Adopted

Ken Topping: amends his motion to include a correction to the staff report transmittal page, under the heading "Recommended Action" to strike Development Plan, and replace with Variance.

Thereafter on **Motion by:** Ken Topping, **Second by:** Eric Meyer, and on the following vote:

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim				
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

The Commission accepts all testimony and correspondence into the record.

Thereafter on **Motion by:** Ken Topping, **Second by:** Eric Meyer, and on the following vote:

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim				
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

The Commission adjourns to Monday, May 16, 2016.

ADJOURNMENT: 10:55

Respectfully submitted,
 Ramona Hedges, Secretary
 San Luis Obispo County Planning Commission

Minutes approved at the 10/13/16 Planning Commission meeting.