

TO: JAMES L. APP, CITY MANAGER

FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: BASTIDE VILLAGE PROJECT – SPECIFIC PLAN AMENDMENT 02-004, ZONE CHANGE 02-007, AND OAK TREE REMOVAL PERMIT (BEATRICE AND DIDIER COP)

DATE: DECEMBER 17, 2002

Needs: For the City Council to consider the Bastide Village Project:

- ✓ Entitlements related to an 80-room destination resort/spa hotel and ancillary/related land uses surrounded by a 17-lot single-family residential subdivision; and
- ✓ Negative Declaration therefor.

- Facts:
1. The Bastide Village Project site is located at the northeast corner of Buena Vista Drive and Experimental Station Road in Subarea D of the Borkey Area Specific Plan (see attached vicinity map).
 2. The General Plan land use designation of the site is Borkey Area Specific Plan Overlay with an underlying designation of RSF-1 (Residential Single Family – One dwelling unit/acre).
 3. The site is zoned R1 B4 (Residential Single-Family – 1.0 acre minimum lot size) with a PD Overlay (Planned Development).
 4. The proposal is to rezone the site RSF 1 (Residential Single Family – One Acre) with a PD Overlay (Planned Development) and a R/L (Resort/Lodging) Overlay.
 5. The Bastide Village Project includes a Master Plan for development of a French village resort with an 80-room, 93,003 square foot destination resort/spa hotel and 38,400 square feet of ancillary/related land uses, including conference facilities, meeting rooms, a Parisian bakery, a cooking/bakery school, retail shops, a spa, and caretaker housing. The main resort is to be surrounded by 17 single-family residential homes clustered onto one-half acre and one-acre sites (with a minimum lot size of 21,000 square feet). The Project is to be developed in four (4) phases.
 6. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment.
 7. Based on the information and analysis contained in the Initial Study, a determination has been made that the Bastide Village Project qualifies for issuance of a Negative Declaration.

8. The Applicant is requesting City Council approval of the following entitlements:
 - Specific Plan Amendment 02-004, modifying the Borkey Area Specific Plan to expressly address the Bastide Village Project;
 - Zone Change 02-007, applying the Resort/Lodging Overlay Zoning District and RSF 1 Zoning to the property; and
 - Oak Tree Removal Permit, requesting removal of two Blue Oak trees located within the right-of-way of Experimental Station Road.
9. At its December 10, 2002 meeting, the Planning Commission is scheduled to review and consider approving individual components of the Bastide Village Project (PD, CUP, and Tract) and recommending to the City Council approval of the Specific Plan Amendment, Zone Change, and Oak Tree Removal Permit.
10. The Planning Commission is the reviewing authority responsible for taking final action on the following individual components of the Bastide Village Project:
 - Planned Development 02-014, establishing the specific land uses, development standards, design parameters, architectural theme, landscape plan, infrastructure requirements, and phasing for the Bastide Village Project;
 - Conditional Use Permit 02-025, addressing the operational characteristics of the land uses associated with the resort/spa hotel;
 - Tentative Tract Map 2504, subdividing the 21-acre property into 17 single-family lots, 1 open space lot, and 1 mixed-use lot; and,
11. General Plan Amendment (GPA) 02-03 will need to be approved before entitlements for the Bastide Village Project can become operative or vested. The GPA would allow a Resort/Lodging Zoning Overlay to be established on a case-by-case basis in appropriate locations.
12. GPA 02-03 is scheduled for consideration by the City Council on the same date as the balance of the entitlements for the Bastide Village Project.

Analysis
and

Conclusion:

The Bastide Village Project implements the City's goals as expressed in its General Plan and its Economic Strategy to develop Paso Robles into an "end-destination" tourist attraction. Among other items, the City's goals are to be accomplished by encouraging the new hotel development. The Highway 46 East Corridor is specifically targeted as an area for resort quality development.

These land uses are consistent with the goals of the developing Paso Robles into an "end-destination" resort. Further, the land uses are compatible with those permitted in the

Borkey Area Specific Plan and in the vicinity. Cuesta College (North Campus) is located to the north, single-family residential is located to the east and the south, and neighborhood commercial and office uses is planned for the properties to the west.

As an “end-destination” resort, the Bastide Village Project has the potential to draw tourist activity to Paso Robles as a primary point of interest.

Adherence to the basic design and development policies of the Borkey Area Specific Plan, combined with recommended Conditions of Approval, would result in establishing a project that is consistent with the City’s vision for the area.

Policy

Reference: General Plan, Zoning Ordinance, Economic Strategy Report, Borkey Area Specific Plan, Borkey Area Specific Plan Environmental Impact Report

Fiscal

Impact: The Applicant is required to pay all standard City impact fees and the Borkey Area Specific Plan development fees. Based on the long-term collection of transient occupancy taxes, the Bastide Village Project could have a positive fiscal impact on the City’s resources.

Options: After consideration of public testimony, the City Council will be asked to take the actions listed below:

A. By separate motions:

1. Adopt Resolution No. 02-xx issuing a Negative Declaration for the Bastide Village Project, including the Specific Plan Amendment, Zone Change, and Oak Tree Removal Permit.
2. Introduce for First Reading Ordinance No. XXX N.S. amending the Borkey Area Specific Plan to expressly address and allow development of the Bastide Village Project, and set January 7, 2003, as the date for adoption of said Ordinance.
3. Introduce for First Reading Ordinance No. XXX N.S. amending the City’s Zoning Map to rezone the site as RSF 1 (Residential Single Family – One Acre) with a PD Overlay (Planned Development) and R/L Overlay (Resort/Lodging), and set January 7, 2003 as the date for adoption of said Ordinance.
4. Adopt Resolution No. 02-xx approving the removal of two (2) Blue Oak trees located within the public right-of-way of Experimental Station Road.

Approval of the requested tree removals is based on the facts, findings, and conclusions of the Arborist Report and is subject to the following:

- (a) City staff continuing to work with the applicant to develop options during the process of preparing detailed improvement plans (which options are subject to review and approval by a certified arborist); and

- (b) Requiring the Applicant to plant four (4) 1½ inch caliper Blue Oak trees or any other combination totaling six (6) inches on the site of the proposed Bastide Village, subject to review and approval of City staff as to the suitability of the planting locations, as well as input from a horticultural professional.

B. Amend, modify, or alter the foregoing options.

Attachments:

- 1. Vicinity Map and Exhibits
- 2. Resolution to Adopt a Negative Declaration
- 3. Ordinance for Specific Plan Amendment 02-004
- 4. Ordinance for Zone Change 02-007
- 5. Resolution to Recommend Granting an Oak Tree Removal Permit
- 6. Newspaper and Mail Notice Affidavits
- 7. Initial Study

RESOLUTION NO. 02-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ADOPTING A NEGATIVE DECLARATION FOR THE BASTIDE
VILLAGE PROJECT, ADDRESSING SPECIFIC PLAN AMENDMENT 02-004,
ZONE CHANGE 02-007, AND OAK TREE REMOVAL PERMIT

WHEREAS, applications have been filed by North Coast Engineering on behalf of Beatrice and Didier Cop seeking approval of the Bastide Village Project; and

WHEREAS, the Bastide Village Project is designed as a French village resort with an 80-room, 93,003 square foot destination resort/spa hotel and 38,400 square feet of ancillary/related land uses, including conference facilities, meeting rooms, a Parisian bakery, a cooking/bakery school, retail shops, a spa, and caretaker housing; and

WHEREAS, the main resort complex is to be surrounded by 17 single-family residential homes on half acre and one-acre sites (with a minimum lot size of 21,000 square feet); and

WHEREAS, the Bastide Village Project site is located at the northeast corner of Buena Vista Drive and Experimental Station Road in Subarea D of the Borkey Area Specific Plan; and

WHEREAS, the applicants are seeking approval to develop and operate the Bastide Village Project and have submitted the following applications: Specific Plan Amendment 02-004, Zone Change 02-007, Planned Development 02-014, Conditional Use Permit 02-025, Tentative Tract Map No. 2504, and an Oak Tree Removal Permit; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment evaluating all aspects of the Project; and

WHEREAS, at its December 10, 2002 meeting, the Planning Commission held a duly noticed public hearing on the Bastide Village Project, to accept public testimony on the proposal (including all of the applications filed) and the environmental determination therefor.

WHEREAS, at its December 10, 2002 meeting, the Planning Commission adopted a Negative Declaration for the Planned Development, the Conditional Use Permit, and the Tentative Tract Map and recommended to the City Council that a Negative Declaration be adopted for the Specific Plan Amendment, Zone Change, and Oak Tree Removal Permit.

WHEREAS, public notice of intent to adopt a Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, based on the information and analysis contained in the Initial Study and the attachments thereto, a determination has been made that the proposed Bastide Village Project qualifies for adoption of a Negative Declaration.

NOW, THEREFORE, the City Council of the City of El Paso de Robles, using its independent judgment and analysis, does hereby:

1. Find and determine that the proposed Bastide Village Project will not have a significant impact on the environment. This finding and determination was made based upon the substantial evidence presented at the public hearing, including the whole record before the City Council (including the Initial Study, the Staff Report and attachments thereto, and any public comments or testimony received thereon).
2. Adopt a Negative Declaration for the proposed Specific Plan Amendment, Zone Change, and Oak Tree Removal Permit.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of December 2002 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

RESOLUTION NO. 02-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AUTHORIZING REMOVAL OF TWO OAK TREES WITHIN THE PUBLIC
RIGHT-OF-WAY OF EXPERIMENTAL STATION ROAD (BASTIDE VILLAGE)

WHEREAS, the City has received an application submitted by North Coast Engineering on behalf of Beatrice and Didier Cop, to remove two Blue Oak trees with a 12-inch and a 13-inch diameter - respectively located within the public right-of-way of Experimental Station Road; and

WHEREAS, Jack Brazeal's Tree Consulting prepared a preliminary Arborist Report for the Bastide Village Project dated November 13, 2002, stating that the two Blue Oak trees require removal due to location within the public right-of-way; and

WHEREAS, City staff has worked with the applicant to evaluate available options for establishing alternative standards for improving the public right-of-way in order to avoid the need to remove the trees; and

WHEREAS, to date, City staff and the applicant have not been able to arrive at a workable solution capable of providing for the required improvements and avoiding the need to remove the trees.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby:

1. Authorize the removal of the two Blue Oak trees located within the public right-of-way of Experimental Station Road, subject to City staff continuing to work with the applicant to develop options during the process of preparing detailed improvement plans (which options are subject to review and approval by a certified arborist); and
2. Require the applicant to plant four (4) 1½ inch caliper Blue Oak trees or any other combination totaling six (6) inches on the site of the proposed Bastide Village, subject to review and approval of City staff as to the suitability of the planting locations, as well as input from a horticultural professional.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 17th day of December 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE BORKEY AREA SPECIFIC PLAN TO EXPRESSLY ADDRESS
AND ALLOW DEVELOPMENT OF THE BASTIDE VILLAGE PROJECT
(APPLICANT – NORTH COAST ENGINEERING FOR BEATRICE & DIDIER COP)
SPECIFIC PLAN AMENDMENT 02-004

WHEREAS, the Land Use Element of the City's General Plan establishes the need for preparation of Specific Plans for certain geographic areas of the City, including, but not limited to, areas north of Highway 46 East and east of North River Road; and

WHEREAS, pursuant to Ordinance 588 N.S., the Borkey Area Specific Plan (BASP) text, plan diagrams, and fee schedule were established on January 8, 1990 for the areas north of Highway 46 East and east of North River Road; and

WHEREAS, the BASP established the allowable land uses and development standards for those properties located within the Specific Plan area, including the 21-acre site at the northeast corner of Buena Vista Drive and Experimental Station Road; and

WHEREAS, North Coast Engineering on behalf of Beatrice and Didier Cop has filed an application to amend the Borkey Area Specific Plan to expressly address the Bastide Village Project; and

WHEREAS, the Specific Plan Amendment would allow for development of the site as a 80-room, 93,003 square foot destination resort/spa hotel with 38,400 square feet of ancillary/related land uses, including conference facilities, meeting rooms, a Parisian bakery, a cooking/bakery school, retail shops, a spa, and caretaker housing (which resort complex would be surrounded by 17 single-family homes); and,

WHEREAS, the Bastide Village Project implements the City's goals as expressed in its General Plan and its Economic Strategy to develop Paso Robles into an "end-destination" tourist attraction; and

WHEREAS, the proposed modifications to the text and diagrams of the Borkey Area Specific Plan (BASP) would allow the Bastide Village Project to be developed by establishing and/or modifying the allowable land uses, the development standards, and the infrastructure requirements; and,

WHEREAS, at its December 10, 2002 meeting, the Planning Commission conducted a duly noticed public hearing making a recommendation on the proposed amendments to the BASP and took the following action regarding this Ordinance:

- a. Considered the facts and analysis, as presented in the staff report and attachments thereto.
- b. Conducted a public hearing to obtain public testimony on the proposed Ordinance amending the Borkey Area Specific Plan and environmental determination therefor.
- c. Recommended that the City Council approve an Ordinance amending the Borkey Area Specific Plan and related document text and graphics as shown in Exhibits A and B, attached hereto and incorporated herein by reference.

WHEREAS, at its meeting of December 17, 2002, the City Council held a public hearing on the proposed Borkey Area Specific Plan Amendments as set forth in this Ordinance and took the following actions:

- a. Considered the facts and analysis, as presented in the staff report and attachments thereto.
- b. Conducted a public hearing to obtain public testimony on the proposed Ordinance amending the Borkey Area Specific Plan and environmental determination therefor.
- c. Considered the recommendation of the Planning Commission.
- d. Introduced the Ordinance for first reading.

WHEREAS, at its meeting of January 7, 2003, the City Council held a second reading of said Ordinance.

NOW, THEREFORE, the City Council of the City of El Paso de Robles does ordain that the text and diagrams of the Borkey Area Specific Plan are amended as set forth in Exhibits A and B, attached hereto and made a part hereof.

SECTION 1. Publication. The City Clerk shall cause this Ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 2. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

SECTION 3. Inconsistency. To the extent that the terms or provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof, such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules and regulations are hereby repealed.

SECTION 4. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared invalid or unconstitutional.

Introduced at a regular meeting of the City Council of the City of El Paso de Robles held on December 17, 2002, and passed and adopted on the 7th day of January 2003 by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE ZONING MAP ESTABLISHED BY REFERENCE IN
SECTION 21.12.020 OF THE ZONING CODE (TITLE 21) ZONE CHANGE 02-007 / SUBAREA D
OF THE BORKEY AREA SPECIFIC PLAN LOCATED ON THE NORTHEAST CORNER OF
BUENA VISTA DRIVE & EXPERIMENTAL STATION ROAD (APPLICANT: NORTH COAST
ENGINEERING FOR BEATRICE AND DIDIER COP

WHEREAS, the City of Paso Robles has received development project applications for the Bastide Village Project, a proposal to establish a French village resort with an 80-room, 93,003 square foot destination resort/spa hotel and 38,400 square feet of ancillary/related land uses, including conference facilities, meeting rooms, a Parisian bakery, a cooking/bakery school, retail shops, a spa, and caretaker housing which will be surrounded by 17 single-family residences; and

WHEREAS, Zone Change 02-007 was one of the applications received by the City for the Bastide Village Project; and

WHEREAS, this application is seeking to change the zoning on the property from R1 B4 (Residential Single-Family – 1.0 acre) with a PD Overlay (Planned Development) to RSF 1 (Residential Single-Family – 1 acre minimum) with a PD Overlay (Planned Development) and a R/L Overlay (Resort/Lodging); and

WHEREAS, the project site is located at the northeast corner of Buena Vista Drive and Experimental Station Road in Subarea D of the Borkey Area Specific Plan (APN: 025-391-014), and

WHEREAS, the General Plan land use designation of the Bastide Village Project site is Borkey Area Specific Plan Overlay with an underlying land use designation of RSF-1 (Residential Single Family – One dwelling unit/acre).

WHEREAS, the surrounding development is all located within the Borkey Area Specific Plan, and includes the Cuesta College – North Campus on the north, single-family residential development on the east and the south, and planned neighborhood commercial and office uses on the west; and

WHEREAS, this rezoning will allow for development of a destination resort/spa hotel consistent with the City's goals as expressed in its General Plan and Economic Strategy to develop Paso Robles into an "end-destination" tourist attraction; and

WHEREAS, at its December 10, 2002 meeting, the Planning Commission took the following actions:

- A. Considered the facts and analysis, as presented in the staff report and the attachments thereto.
- B. Conducted a public hearing to obtain public testimony on the proposed Bastide Village Project and the environmental determination therefor.

- C. Based on the information contained in the Initial Study prepared for the Bastide Village Project, a determination has been made that there is no substantial evidence that the Project would have significant adverse effect on the environment and thus a Negative Declaration can be adopted by the City Council.
- D. Recommended that the City Council approve Zone Change 02-007.

WHEREAS, at its December 17, 2002 meeting, the City Council took the following actions:

- A. Considered the facts and analysis, as presented in the staff report and the attachments thereto.
- B. Considered the recommendation of the Planning Commission.
- C. Conducted a public hearing to obtain public testimony on the proposed project and environmental determination therefor.
- D. Based on the information contained in the Initial Study prepared for the Bastide Village Project, a determination was made, based on the independent review and judgment of the City Council, that there was no substantial evidence that the Project would have significant adverse effect on the environment and thus a Negative Declaration was adopted by separate Resolution.

NOW, THEREFORE, BE IT KNOWN that the City Council of the City of El Paso de Robles, based upon the substantial evidence presented at the above-referenced public hearing, including oral and written staff reports, does hereby make the following findings that:

- 1. The above stated facts of this Ordinance are true and correct.
- 2. The Zone Change is consistent with the City's General Plan and its Economic Strategy.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 21.12.020 of the Municipal Code (Zoning Map) is hereby amended as shown on the attached Exhibit A.

SECTION 2. Publication. The City Clerk shall cause this Ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 4. Inconsistency. To the extent that the terms or provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council of the City of El Paso de Robles held on December 17, 2002, and passed and adopted on the 7th day of January 2003 by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk