

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION  
FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR  
SUBJECT: PD 06-011 AMENDMENT (DOWNTOWN PARK PROPERTIES, LLC - NORTON)  
DATE: JUNE 24, 2008

Needs: To consider an application filed by Ken Nagahara on behalf of Downtown Park Properties, LLC – Paul Norton, requesting to change the exterior finish material of the building’s east side wall from stucco to elastermeric paint.

- Facts:
1. The building is located at 811 12<sup>th</sup> Street (see attached Vicinity Map).
  2. PD 06-011 was originally approved by the Planning Commission on September 12, 2006 allowing the construction of the three-story mixed use building. The plans were approved with the use of stucco on the east wall.
  3. The project is currently under construction and as noted in his letter dated May 6, 2008 (Attachment 1), Mr. Norton has not been able to get permission from the adjacent property owner to place scaffolding on the roof of the neighboring building, which is necessary to apply the stucco. Mr. Norton is proposing to paint the precision block wall.
  4. The project was reviewed by the Development Review Committee (DRC) at their meeting on June 16, 2008. The DRC understood the issue at hand, but had reservations of painted precision block as the final material since it would not meet the goals and intent with the Downtown Design Guidelines. The DRC did not take action since the issue needs to be discussed with the full Planning Commission.

Analysis and

Conclusion: At the time of the original review of the project by the DRC and the Planning Commission, the exterior colors and materials of the front elevation were the main issue of discussion. As part of the review process by the DRC, it was suggested that the project exterior finishes be revised to include the increased use of brick veneer to better comply with the Downtown Design Guidelines. The eastern wall was always intended to use stucco with the decorative cornice trim, and was not an issue of discussion at the time.

Since the adjacent building to the east is 1-story, a significant amount of the eastern wall of the new three story building is visible. Additionally, since the 1-story building recently completed and extensive façade improvement, it is not anticipated that the building will be remodeled any time soon to include additional stories that would conceal the subject three-story wall.

The Downtown Design Guidelines include the following suggestions regarding exterior

building materials:

*Use of high quality facing materials that are compatible to the downtown area is encouraged. Materials like cedar shakes, molded stone, rough-cut logs, slump blocks, and stained wood are discouraged.*

The building has been constructed using concrete precision or “slump” blocks. Rather than using stucco, which would require the need to construct scaffolding on the neighboring building, Mr. Norton is proposing to paint the block with elastermeric paint. Elastermeric paint is a thicker type of paint that has a rough “pitted” type texture. While elastermeric paint would seem to be a better product than standard exterior paint, grout lines of the block would be visible through the paint, which would still reveal the precision block material beneath it.

Upon a review of other existing buildings in the downtown core, the only buildings with a painted precision block finish is the building directly south and adjacent to the Fox Theatre building, and the new Bridge Sportsman building. The Bridge building was approved with the painted block finish, since a new two-story building has been approved and will eventually be constructed which will hide the Bridge building’s block wall.

As noted in the Downtown Design Guidelines, the General Plan, the Economic Strategy and most recently in the Downtown Specific Plan charrette process, it is important that the buildings in the downtown core are required to be constructed with the use high quality materials that are compatible with other buildings in the downtown. Painted concrete block does not seem to meet this intent for quality.

While the City understands that there may be challenges applying the stucco, extraordinary efforts need to be taken to finish the wall as proposed by the applicant and as approved by the Planning Commission.

When reviewing this request, the Planning Commission needs to consider the long-term life of this building and the fact that this particular wall will be very visible in the downtown for many years.

Policy

Reference: General Plan Land Use Element; General Plan Update EIR certified in 2003; Zoning Code and California Environmental Quality Act (CEQA).

Fiscal

Impact: None.

Options: After consideration of all public testimony, that the Planning Commission considers the following options:

- a. Adopt the attached resolution denying the request to use elastermeric paint and require the applicant take extraordinary efforts to apply the stucco material as originally approved with the Planning Commission's approval of PD 06-011;
- b. Adopt a Resolution adopting an amendment to PD 06-011 allowing the use of elastermeric paint on the eastern wall;
- c. Amend, modify or reject the foregoing option.

Prepared by:

Darren Nash  
Associate Planner

Attachments:

1. Applicant's letter dated May 6, 2008
2. Letter from Ken Nagahara
3. Photo of building
4. Draft Resolution denying PD 06-011
5. Draft Resolution approving PD 06-011
6. Newspaper and Mail Notice Affidavits

darren\PD\ NortonPCReport

B06-0061

Paso Robles

MAY 07 2008

Planning Division

**NNC**

NORMAN

# Norton Construction Inc.

8390 El Camino, PO Box 1107 Atascadero, Calif.  
805 466-4776 Lic. 323423

6-May-08

City of Paso Robles  
Att. **Darin Nash**

Project: **Downtown Park Properties LLC.**  
811 12th Street  
Paso Robles, California

Concerning the exterior plastered finish applied to the east side of the building above Marlow Interiors ( Mike Beanway owner ). Norton Const. has been unable to obtain permission to erect scaffolding off Mr Beanway's building to enable Paso Plastering to apply the product. Also after meeting with OSHA representatives on Monday May 5, 2008, it has become literally impossible to work off Mr. Beanways building. Norton Const proposes to paint elastermeric coating on the east side only, matching the plaster color from the front and rear of our building, which can be applied from our building maintaining the architectural detail on top.

Sincerely:

  
**Paul Norton**

Norman Norton Construction Inc.

# KMN ARCHITECT

## ARCHITECTURE GRAPHICS DESIGN

610 10th Street, Suite A, Paso Robles, CA 93446  
Phone(805)238-5501 Fax(805)239-5853

Date: June 11, 2008  
To: City of Paso Robles  
Building Division  
1000 Spring Street  
Paso Robles, CA 93446  
Re: Norton Construction Commercial Building  
811 12th Street, Paso Robles, CA  
A.P.N.: 009 – 044 – 008  
Attn: Darren Nash

Dear Mr. Nash,

The owner wishes to propose substituting a different finish to the east wall of the above mentioned commercial building. The application of the original cement plaster finish would be virtually impossible unless we place scaffolding on the adjacent building. This would create some major safety, structural, and liability issues since it is unknown if the adjacent building could support such a structure. The adjacent building owner understandably doesn't want us to place the scaffolding on their building.

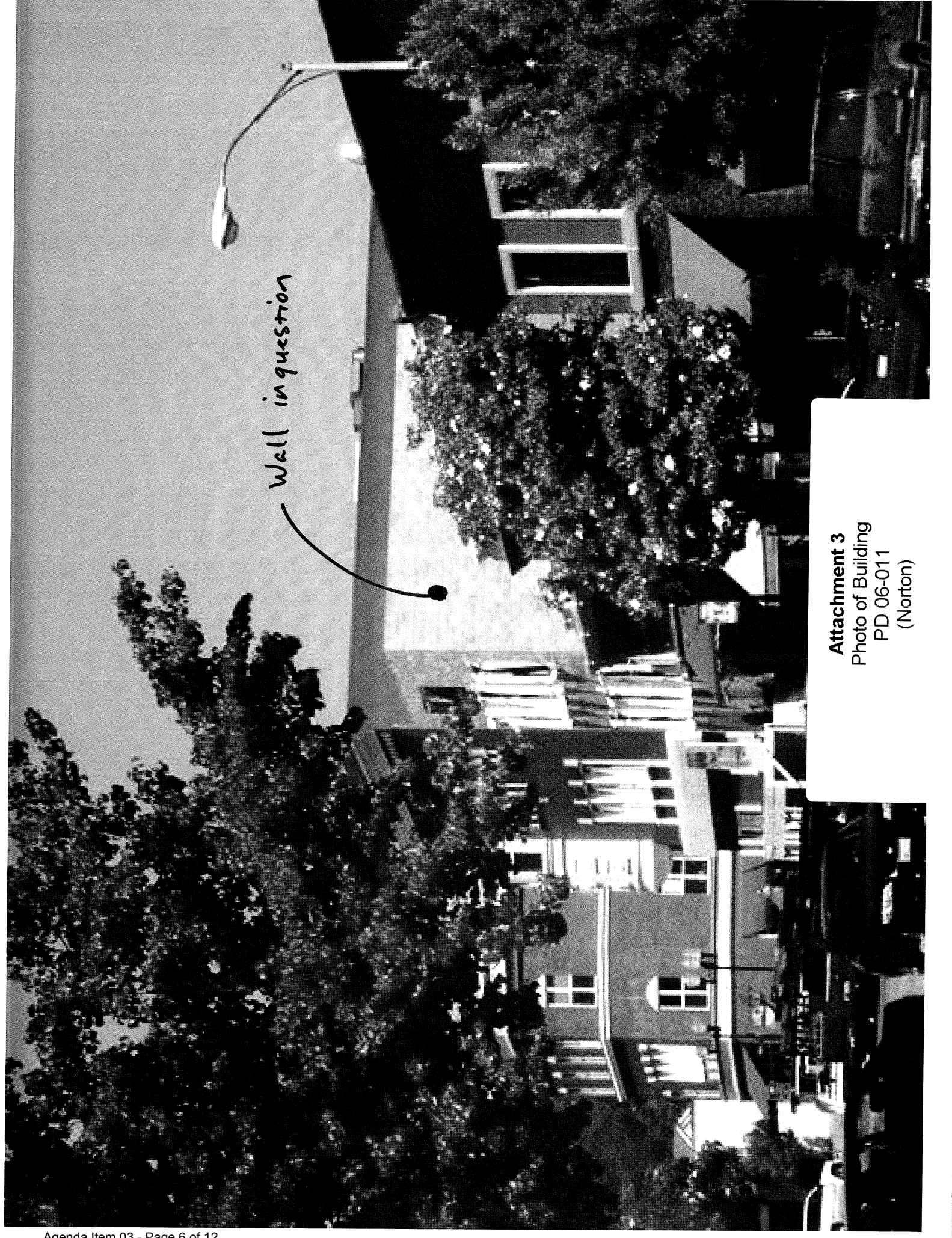
Since we cannot have the use of the scaffolding, we are proposing an alternate solution. The use of elastomeric paint over the exposed CMU wall seems to be the best solution. We can add a "stucco-like" texture to the elastomeric paint to give it a cement plaster look. Because of the thickness (or thinness) of the elastomeric we will attempt to fill in the CMU joints as best as possible prior to the application of the elastomeric paint.

If you have any questions, please feel free to contact me.

Respectfully,



Ken M. Nagahara, Architect  
License No. C24346



*Wall in question*

**Attachment 3**  
Photo of Building  
PD 06-011  
(Norton)

RESOLUTION NO.:

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES DENYING  
AMENDMENT TO PLANNED DEVELOPMENT 06-011  
(NORTON BUILDING)  
APN: 009-044-008

WHEREAS, Planned Development 06-011 was originally approved by the Planning Commission on September 12, 2006 approving the construction of a new 8,900 square foot three-story mixed-use building with basement; and

WHEREAS, the project is located at 811 12<sup>th</sup> Street, building located just east of the Mastagni (Clock tower) building; and

WHEREAS, the architectural plans were approved with the use of stucco plaster on the east facing wall, as proposed by the applicant; and

WHEREAS, the building is currently under construction and is in a stage where the final materials will need to be installed soon; and

WHEREAS, Paul Norton, applicant has submitted a letter (Exhibit A) indicating that he can not get permission from the neighboring property owner to install scaffolding on the roof in order to apply the stucco; and

WHEREAS, Mr. Norton is proposing to paint the precision block wall with elastomeric paint; and

WHEREAS, at its June 24, 2008 meeting, the Planning Commission held a duly noticed public hearing on the Project, to accept public testimony on the proposal including Planned Development 06-011 and related applications; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, the Planning Commission makes the following findings:

1. That the three story building will be very prominent in the downtown core since it rises above the existing one story building adjacent to the east, and therefore the finish materials of the wall are important in order to meet the intent of the General Plan of promoting architectural and design excellence;
2. That the use of painted masonry block as a finish material for buildings in the downtown is discouraged by the Downtown Design Guidelines and would not be considered a material that would promote architectural and design excellence;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby deny an amendment to Planned Development 06-011 requesting the use of elastomeric paint on the east facing elevation and requires the applicant to apply a stucco plaster finish as indicated on the original plans approved by the Planning Commission for PD 06-011.

PASSED AND ADOPTED THIS 24<sup>th</sup> day of June, 2008 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIRMAN ED STEINBECK

ATTEST:

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RON WHISENAND, PLANNING COMMISSION SECRETARY



RESOLUTION NO.:

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES APPROVING  
AMENDMENT TO PLANNED DEVELOPMENT 06-011  
(NORTON BUILDING)  
APN: 009-044-008

WHEREAS, Planned Development 06-011 was originally approved by the Planning Commission on September 12, 2006 approving the construction of a new 8,900 square foot three-story mixed-use building with basement; and

WHEREAS, the project is located at 811 12<sup>th</sup> Street, building located just east of the Mastagni (Clock tower) building; and

WHEREAS, the architectural plans were approved with the use of stucco plaster on the east facing wall, as proposed by the applicant; and

WHEREAS, the building is currently under construction and is in a stage where the final materials will need to be installed soon; and

WHEREAS, Paul Norton, applicant has submitted a letter (Exhibit A) indicating that he can not get permission from the neighboring property owner to install scaffolding on the roof in order to apply the stucco; and

WHEREAS, Mr. Norton is proposing to paint the precision block wall with elastermeric paint; and

WHEREAS, at its June 24, 2008 meeting, the Planning Commission held a duly noticed public hearing on the Project, to accept public testimony on the proposal including Planned Development 06-011 and related applications; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

1. The proposed Project will not be detrimental to the City's efforts to revitalize Downtown Paso Robles since the Project is consistent with the City's Economic Strategy, by providing investment into the downtown as well as providing retail and professional office space in the downtown.
2. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16A (Planned Development Overlay District Regulations) as follows:
  - A. The granting of the Planned Development (PD) will not adversely affect the policies, spirit and intent of the General Plan, the Zoning Ordinance, and the policies and plans of the City. Rather, the PD for the 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.

- B. The Project maintains and enhances the significant natural resources on the site. The building would encompass the entire lot consistent with the previous building.
- C. The Project is designed to be sensitive to, and blend in with, the character of the site and surrounding area, since it would meet the purpose and intent of the Downtown Design Guidelines. Although the Guidelines discourage the use of painted masonry block, in this case, given the fact that the applicant was not able to gain access to the adjacent property to install the stucco, substituting elastomeric paint will suffice. The decorative cornice feature will be installed.
- D. The Project is consistent with the purpose and intent of the Planned Development Chapter of the Zoning Ordinance and the Project is not contrary to the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve an amendment to Planned Development 06-011 allowing the use of elastomeric paint on the east facing elevation, subject to the following conditions:

**PLANNING SITE SPECIFIC CONDITIONS:**

- 1. All conditions of approval in Resolutions 06-0073 shall remain in full force and effect, except for the change in the final finish material of the east facing wall from stucco to painted precision block using elastomeric paint. Colors shall match the rest of the building.

PASSED AND ADOPTED THIS 24<sup>th</sup> day of June, 2008 by the following Roll Call Vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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CHAIRMAN ED STEINBECK

ATTEST:

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RON WHISENAND, PLANNING COMMISSION SECRETARY

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

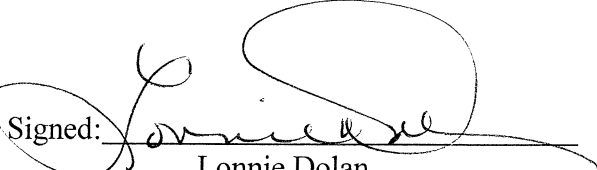
Newspaper: Tribune

Date of Publication: June 11, 2008

Hearing Date: June 24, 2008

Project: Amendment to Planned  
Development 06-011  
(Norton/Downtown Park Prop-  
erties - 811-12<sup>th</sup> Street)

I, Lonnie Dolan, employee of the Community  
Development Department, Planning Division, of the City  
of El Paso de Robles, do hereby certify that this notice is  
a true copy of a published legal newspaper notice for the  
above named project.

Signed:   
Lonnie Dolan

CITY OF EL PASO DE ROBLES  
NOTICE OF PUBLIC HEARING:

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider the following project:

**Amendment to Planned Development 06-011:** application filed by Paul Norton on behalf of Downtown Park Properties LLC, requesting to revise the final finish material of the east facing wall from stucco as originally approved, to elatermaric paint. The building is a three-story building currently under construction at 811 12th Street.

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, June 24, 2008, at which time all interested parties may appear and be heard.

Written comments on the proposed development plan may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970.

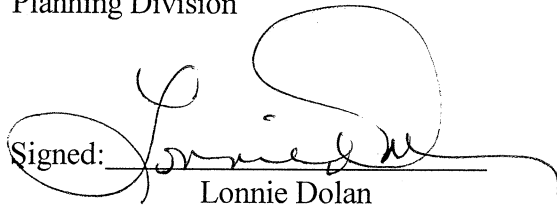
If you challenge the PD amendment in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

Darren Nash, Associate Planner  
June 11, 2008 6734619

**AFFIDAVIT**  
**OF MAIL NOTICES**  
**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Lonnie Dolan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Amendment to Planned Development 06-011 (Norton/Downtown Park Properties LLC – 811 12<sup>th</sup> Street) on this 10th day of June 2008.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed:   
Lonnie Dolan

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