

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION
FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: CONDITIONAL USE PERMIT 10-002
(COUNTRY FARM AND CRAFT MARKET – JUDY ANN SUSCHKE)

DATE: JULY 27, 2010

Needs: For the Planning Commission to consider a request filed by Judy Ann Suschke on behalf of Country Farm and Craft Market, to locate a Certified Farmer's Market within the parking lot at Golden Hills Plaza (Lowe's) located at 2429 Golden Hill Road.

- Facts:
1. The Market would be within the parking lot area located along the southern boundary (See Exhibit A to attached Resolution).
 2. The property is zoned C3-PD (Commercial/Light-Industrial, Planned Development Overlay) and the General Plan designation is CS (Commercial Service).
 3. Section 21.16.200 of the Municipal Code requires approval of a Conditional Use Permit (CUP) for certified farmers markets in the C3 zoning district.
 4. The applicant has indicated that the Market will be managed in accordance with the rules, laws and regulations as established by the California Department of Food and Agriculture and the San Luis Obispo County Agricultural Commissioner (See Applicant's Letter, Attachment 1).
 5. The Planning Division staff has determined that this application is Categorically Exempt from environmental review per Section 15311 of the State's Guidelines to Implement CEQA.

Analysis
and

Conclusions: The Golden Hill Plaza parking lot was developed with 1,228 parking spaces which exceeds the zoning code requirement of 1,183. The Farmers Market would use approximately 30 parking spaces, which would not adversely impact the required parking stalls needed for the Center, especially since the center is not built out. As noted in the applicant's letter, Regency Centers will review the contract with the Market on a bi-annual basis. If in the future as the Center completes development, the parking lot does not adequately accommodate the Market, the contract with the Market would be terminated by Regency Centers.

It appears that the area of the parking lot within the Regency Center would be an appropriate place for the Farmer's Market event. It does not appear that the location of the market will conflict with existing uses on site or with future construction activities. A condition has been added that any proposed signage be reviewed by the Development Review Committee (DRC) prior to the commencement of the Market.

Policy
Reference: City of Paso Robles Zoning Code.

Fiscal
Impact: None

Options: After consideration of any public testimony, the Planning Commission should consider the following options:

- a. Adopt the attached resolution granting approval of Conditional Use Permit 10-002, subject to standard and site specific conditions of approval.
- b. Amend, modify or alter the above noted options.

Attachments:

1. Applicant's Letter
2. Resolution Approving CUP 10-002
 - Exhibit A, Vicinity Map
3. Newspaper notice and mail affidavits

H:/Darren/CUPs/ CUP 10-002



Country Farm & Craft Market RECEIVED

8300 Shirdon Place
Paso Robles, CA 93446
805 237-0345

JUN 28 2010

Engineering Division

June 24, 2010

To: the City of El Paso de Robles, Community Development Department

RE: Opening a new Certified Farmers Market.

As the owner of Country Farm & Craft Market I wish to apply for a Conditional Use Permit to open a new Certified Farmers Market at the Golden Hills Plaza shopping center.

We currently operate the Saturday Certified Farm & Craft Market at the downtown Paso Robles City Park. The Golden Hills Farm & Craft Market will operate under the same Rules & Regulations in use at the City Park on Saturdays. These rules & regulations are on file with the California State Department of Food and Agriculture and the San Luis Obispo County Agricultural Commissioner in Templeton, California.

This will be a Friday market. The market will operate for 6 months each year, from the end of May to the end of November. The time will be 4 pm to 7 pm during spring and summer months. It will be 3 pm to 6 pm during the fall/winter months.

Regency Centers, owners of the property, has offered us an area that will accommodate, for the present time, approximately 28(10x10) canopies and Farmers, Crafters and Food Venders vehicles.

The contract we have with Regency Centers is to be renewed each year for a 6-month period of time. The area that the market occupies will be reassessed as the shopping center develops and building spaces fill.

The family farmers we support want to reach a different segment of the Paso Robles population. Having this Farmers Market in the North/East area of the City will benefit the farmers and the new Golden Hills Plaza by bringing in customers to both events.

Sincerely,

Judy Ann Suschke
Country Farm & Craft Market

Enclosures:

Included with the Conditional Use Permit application: Agreement with Regency Centers, Inc., Certificate for Certified Farmers Market, Environmental Health Service permit, proof of insurance, Country Farm & Craft Market Rules & Regulations, application for a space at Golden Hills Farm & Craft Market, check #1978 for \$600.

RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 10-002
(Country Farm and Craft Market – Judy Ann Suschke)
APN: 025-422-030

WHEREAS, Judy Ann Suschke on behalf of the Country Farm and Craft Market, has filed a Conditional Use Permit application to establish a Certified Farmer’s Market within the parking lot at the Golden Hill Plaza (Lowe’s) located at 2429 Golden Hill Road; and

WHEREAS, section 21.16.200 of the Municipal Code of the City of El Paso de Robles requires approval of a conditional use permit for Certified Farmers Markets in the C3 zoning district; and

WHEREAS, the Market would utilize approximately 30 parking spaces on Friday afternoons within the parking lot in an area that would not conflict with existing businesses or future construction; and

WHEREAS, Regency Centers will review the contract with the Market on a bi-annual basis to determine that the Market is not conflicting with existing businesses of future construction; and

WHEREAS, a public hearing was conducted by the Planning Commission on July 27, 2010, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this conditional use permit request; and

WHEREAS, based upon the facts and analysis presented in the staff report, and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment , maintenance or operation for the requested use or building applied for , will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 10-002 subject to the following conditions:

STANDARD CONDITIONS

1. Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring

properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.

2. The site shall be kept in a neat manner at all times.

SITE SPECIFIC CONDITIONS

3. This conditional use permit (CUP) authorizes the establishment of a certified farmers market to be located in the Golden Hills Plaza parking lot at 2429 Golden Hill Road, on Friday of each week in a manner described in the attached exhibits and subject to the conditions contained within this resolution. The Market shall be operated within the area of the parking lot indicated on Exhibit A, and subject to the conditions established by this resolution.
4. If in the future, as the shopping center develops it is determined that it is necessary to move the market to an alternate area, the location shall be approved by the Development Review Committee (DRC).
5. The market will operate for 6 months each year, from the end of May to the end of November. The time will be 4pm to 7pm during spring and summer months and 3pm to 6pm during fall/winter months.
6. The Market shall be managed in accordance with the rules, laws and regulations as established by the California Department of Food and Agriculture and the San Luis Obispo County Agricultural commissioner.
7. All signage shall be reviewed and approved by the Development Review Committee (DRC).

PASSED AND ADOPTED THIS 27th day of July, 2010 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

JOEL PETERSON, CHAIRMAN

ATTEST:

RON WHISENAND, SECRETARY OF THE PLANNING COMMISSION

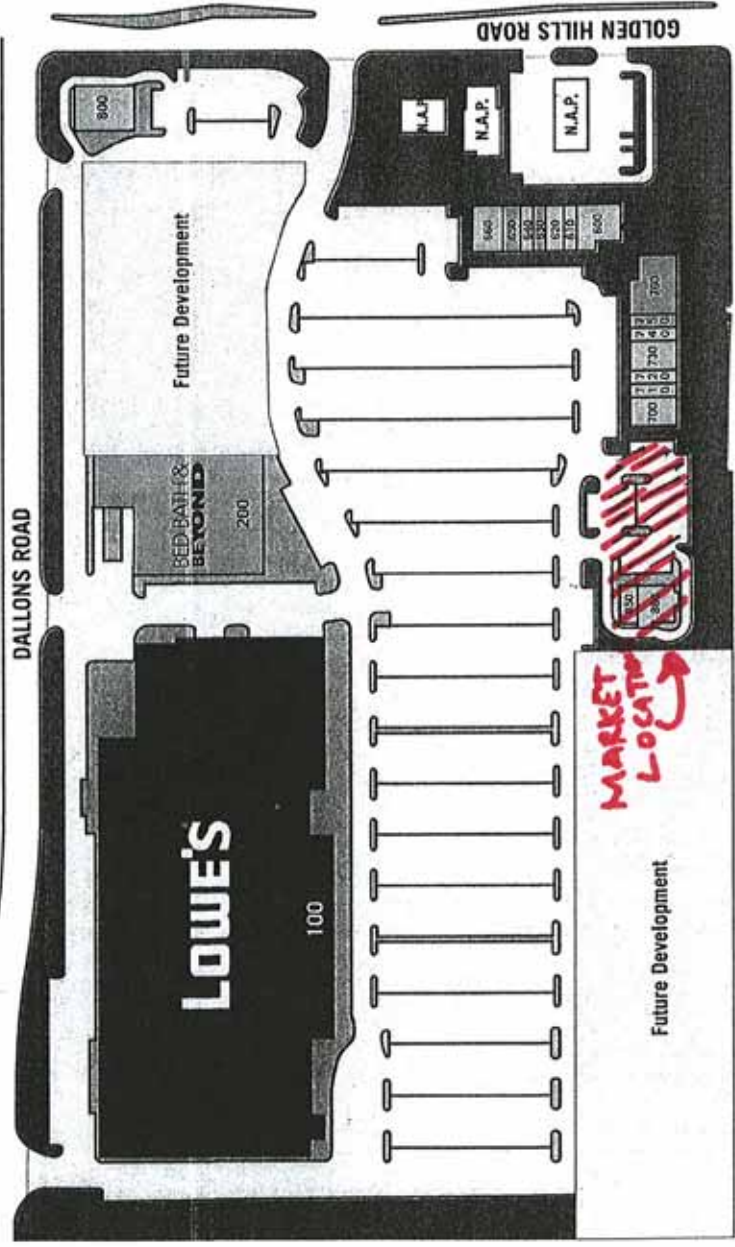
Golden Hills Plaza
 Highway 46 & Golden Hills Road
 Paso Robles, California 93446

regencycenters

CENTER SIZE
223,104 SQ. FT.

Available
 Anchor
 Leased
 N.A.P. (Not A Part)

100	Lowe's	169,112 SQ. FT.
200	Bed Bath & Beyond	25,000 SQ. FT.
600	Available	2,201 SQ. FT.
610	Available	1,200 SQ. FT.
620	Available	1,400 SQ. FT.
630	The UPS Store	1,200 SQ. FT.
640	Available	1,200 SQ. FT.
650	Sky Nails & Spa	1,440 SQ. FT.
660	Available	1,793 SQ. FT.
700	Available	2,200 SQ. FT.
710	Available	1,200 SQ. FT.
720	Available	1,283 SQ. FT.
730	Available	2,000 SQ. FT.
740	Available	1,197 SQ. FT.
750	Subway	1,100 SQ. FT.
760	Me & Ed's Pizza	3,317 SQ. FT.
800	Available	3,000 SQ. FT.
850	Available	1,200 SQ. FT.
860	Available	2,400 SQ. FT.



This site plan is not a representation, warranty or guarantee as to size, location, identity of any tenant, the suite number, address or any other physical indicator or parameter of the property and for use as approximated information only. The improvements are subject to changes, additions, and deletions as the architect, landlord, or any governmental agency may direct or determine in their absolute discretion.



Exhibit A
 Site Plan
 CUP 10-002
 (Country Farm & Craft Market)

Los Angeles Office
 213.553.2200 888.705.3092
 regencycenters.com

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

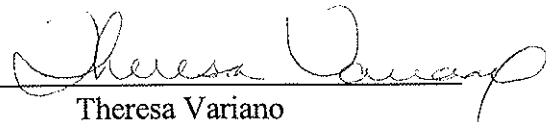
Newspaper: Tribune

Date of
Publication: July 15, 2010

Hearing
Date: July 27, 2010
(Planning Commission)

Project: CUP 10-002 (Suschke)

I, Theresa Variano, 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: 
Theresa Variano

forms/newsaffi.691

IFIEDS

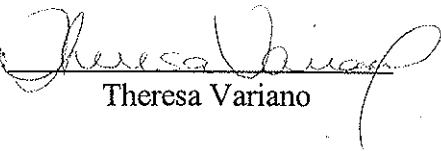
Legals	Legals
<p>NOTICE OF PUBLIC HEARING</p> <p>NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider Conditional Use Permit 10-002, a request by Judy Ann Suschke on behalf of Country Farm & Craft Market, to establish a Certified Farmers Market on a weekly basis within the existing common parking lot at the Golden Hills Plaza shopping center (Lowes) located at 2429 Golden Hill Road, just north of Highway 46 East. APN: 025-422-030</p> <p>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, July 27, 2010, at which time all interested parties may appear and be heard.</p> <p>This application is Categorically Exempt from environmental review per Section 15301c of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).</p> <p>Comments on the proposed Conditional Use Permit 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 hearing.</p> <p>If you challenge the Conditional Use Permit application 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.</p> <p>Darren Nash, Associate Planner July 15, 2010 8896941</p>	

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Theresa Variano, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Conditional Use Permit 10-002 (Suschke) on this 15th day of July, 2010.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____


Theresa Variano

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