

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: WARREN FRACE, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: TIME EXTENSION FOR PLANNED DEVELOPMENT 04-012 & CONDITIONAL USE PERMIT 04-016 (PIERCE)

DATE: MARCH 8, 2016

Needs: For the Planning Commission to open the public hearing that has been continued from the February 23, 2016 Planning Commission meeting, and consider the applicant's request for a two-year time extension of Planned Development 04-012 and Conditional Use Permit 04-016.

Facts:

1. The project is located at 1601 North River Road (see attached location map).
2. The site has an Industrial (IND) General Plan Land Use designation, and a Manufacturing (M) zoning designation.
3. The project was originally approved by the Planning Commission on November 23, 2004, approving the construction of a 48,000 square foot mini-storage facility with a caretaker unit.
4. On May 23, 2006 the Planning Commission approved a revised project that consisted of increasing the square footage of the mini-storage facility to 120,000 square feet with a caretaker unit. The entitlements were valid until May of 2008.
5. The following is list of the past City time extension approvals, leading up to this extension request:
 - in June 2008, the Planning Commission approved a time extension extending the project entitlements to May 23, 2009;
 - in January 2009, the City Council adopted Resolution 09-007, which automatically extended Planning entitlements to December 31, 2010;
 - in November 2010, the Planning Commission approved a time extension extending the project entitlements to December 31, 2011;

- in February 2012, the Planning Commission approved a time extension extending the project entitlements to December 31, 2012;
 - in December 2012, the Planning Commission approved a 2 year time extension extending the project entitlements to Dec, 31, 2013;
 - in February 2014, the Planning Commission approved a 2 year time extension extending the project entitlements to Dec, 31, 2015;
6. A request was submitted prior to the December 31, 2015 deadline, requesting that the Planning Commission extend the entitlements for two years to December 31, 2017.
 7. This item was continued at the January 26th, February 9th, and February 23rd Planning Commission hearings, in order to allow for additional time to determine if storm water regulations can be met on site in a manner that would be substantially compliant with PD 04-012 & CUP 04-012.
 8. The applicant's engineer has indicated that they request the Planning Commission to move forward with the time extension request, with a condition of approval added to the project that requires that the project be modified as necessary to address storm water requirements, or if possible, obtain a waiver or construct an in lieu mitigation project off site.
 7. As indicated in the attached memorandum from the City Engineer, there are storm water regulations that this project is subject to, and in order to accommodate the regulations, the site plan would need to be modified in in a manner that would substantially change the current design.

Analysis
and

Conclusion:

When taking in consideration that changes that would need to be made to modify the project to comply with the required storm water regulations, and taking in consideration the number of years that this project has requested the approval of time extensions, that the best alternative at this time is to deny the time extension request.

Policy

Reference: General Plan Land Use Element, Zoning Code.

Fiscal

Impact: There are no specific fiscal impacts associated with approval of this time extension.

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

- a. Adopt Draft Resolution 'A' denying the time extension request, as a result of the modifications necessary to PD 04-012 & CUP 04-016 to accommodate on-site storm water regulations, would result in a project that would not be in substantial compliance with PD 04-012 & CUP 04-016;
- b. Adopt Draft Resolution 'B' granting a one-year time extension for PD 04-012 & CUP 04-016 to December 31, 2017, with a condition of approval requiring that the project be re-designed to address the storm water requirements, in a manner to be approved by the City Engineer, and subject to findings by the Development Review Committee (DRC) that the revised project would be substantial compliance with PD 04-012 & CUP 04-016;
- c. Amend, modify or reject the above noted options.

Attachments:

1. Location Map
2. Site Plan
3. Elevations
4. City Engineer Memo
5. Draft Resolution 'A' denying the time extension
6. Draft Resolution 'B' approving the time extension
7. Mail and Newspaper Affidavits



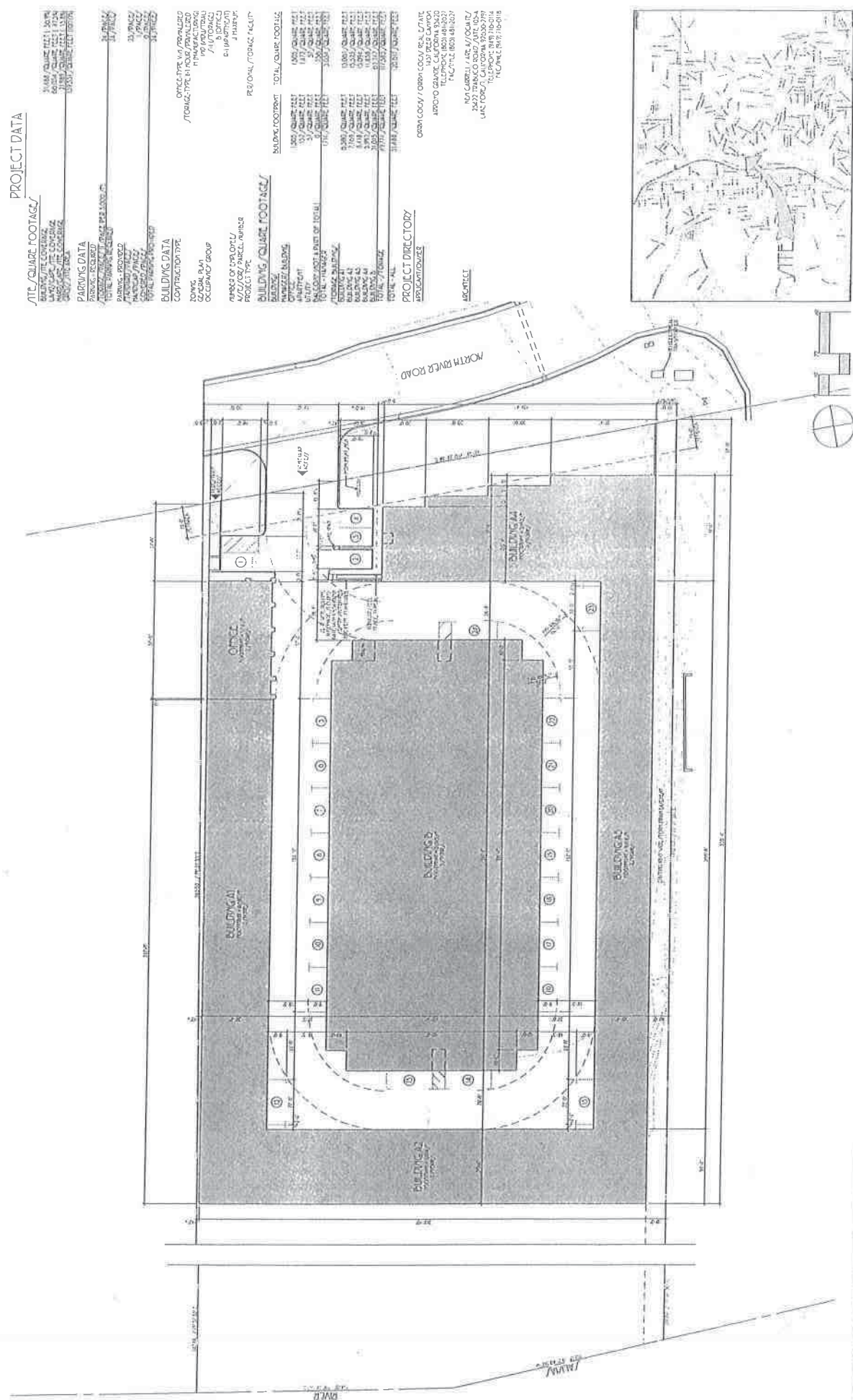
Attachment 1
Location Map
PD 04-012 & CUP 04-016
(Pierce)

OVERALL SITE PLAN BEST SELF STORAGE 1601 NORTH RIVER ROAD, PASO ROBLES, CALIFORNIA

VICINITY MAP

Attachment 2
Site Plan
PD 04-012 & CUP 04-016
(Pierce)

ARE Associates
 ARCHITECTURE REAL ESTATE
 28422 Trabuco Road
 Lake Forest, California
 www.aresassociates.com
 949.340.2397
 mic@aresassociates.com



PROJECT DATA

SITE / SQUARE FOOTAGE:
 BALANCE / TOTAL CONCRETE: 1000 / 1000 SQ FT
 BALANCE / TOTAL ASPHALT: 1000 / 1000 SQ FT
 BALANCE / TOTAL GRASS: 1000 / 1000 SQ FT
 BALANCE / TOTAL PAVEMENT: 1000 / 1000 SQ FT
 BALANCE / TOTAL OTHER: 1000 / 1000 SQ FT

PARKING DATA:
 TOTAL SPACES: 1000
 TOTAL MOTOR VEHICLES: 1000
 TOTAL TRUCKS: 1000
 TOTAL BICYCLES: 1000

BUILDING DATA:
 CONTRACTOR: J. H. PIERCE
 CONTRACT TYPE: LUMP SUM

CONTRACT DATA:
 CONTRACT TYPE: LUMP SUM

GENERAL PLAN:
 OCCUPANCY GROUP: BUSINESS

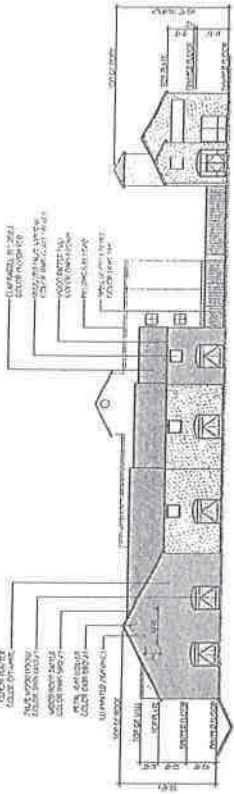
PROJECT TYPE:
 PROJECT TYPE: STORAGE

BUILDING / SQUARE FOOTAGE:

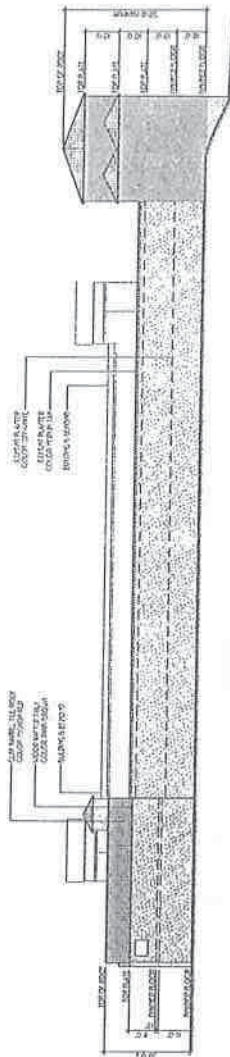
BUILDING	TOTAL SQUARE FOOTAGE	TOTAL SQUARE FOOTAGE
BUILDING A1	10000	10000
BUILDING A2	10000	10000
BUILDING A3	10000	10000
BUILDING A4	10000	10000
BUILDING A5	10000	10000
BUILDING A6	10000	10000
BUILDING A7	10000	10000
BUILDING A8	10000	10000
BUILDING A9	10000	10000
BUILDING A10	10000	10000

PROJECT DIRECTORY:
 APPLICATION NO: 1601-012
 PROJECT NO: 1601-012

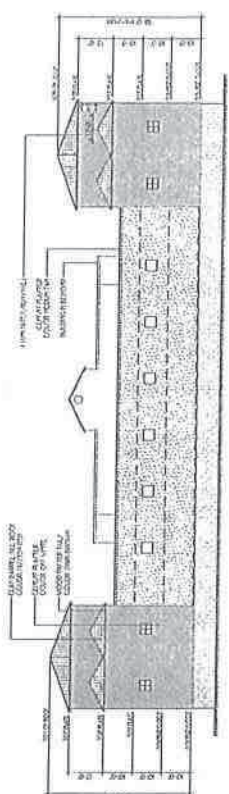
ARCHITECT:
 J. H. PIERCE
 28422 TRABUCO ROAD, LAKE FOREST, CA 92530
 TEL: (949) 340-2397
 FAX: (949) 340-2398



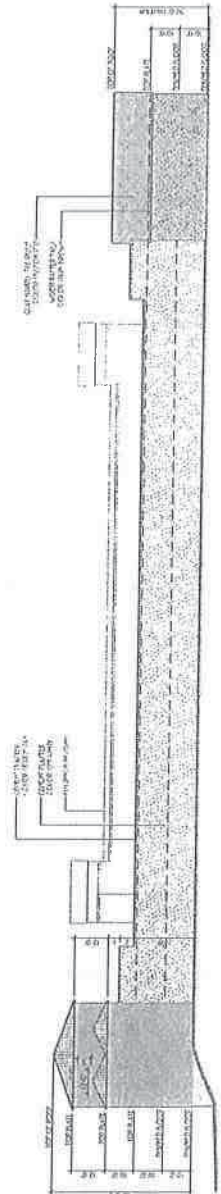
EAST ELEVATION (NEV FACING NORTH RIVER ROAD)



NORTH ELEVATION (NEV FACING ADJACENT PROPERTY)



WEST ELEVATION (NEV FACING ALUPA RIVER)



SOUTH ELEVATION (NEV FACING ADJACENT PROPERTY)



19460
1120207
06 FEB 04
06 APR 04



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EXTERIOR ELEVATIONS

BEST SELF STORAGE

7

1601 NORTH RIVER ROAD, PASO ROBLES, CALIFORNIA

Attachment 3
Elevations
PD 04-012 & CUP 04-016
(Pierce)

MEMORANDUM

TO: Darren Nash
FROM: John Falkenstien
SUBJECT: PD 04-012 Best Self Storage Time Extension
DATE: March 1, 2016

Stormwater Regulations

The approval of PD 04-012 pre-dates the Post-Construction Requirements mandated by the Water Board and adopted by the City in March, 2014. However, the Water Board adopted a General Construction Permit in 2012 that does apply to any project where site disturbance exceeds one acre.

The site development of PD 04-012 involves nearly two acres. The General Construction Permit includes stormwater quality mitigation requirements that PD 04-012 cannot meet without substantial modification.

In addition to needing modification to meet Water Board stormwater requirements, the site plan is not reasonably feasible to build as designed. It is supported by a 17-foot retaining wall in the rear. The ground has recently been found to be subject to liquefaction and must be re-excavated and re-compacted to a substantial depth.

Given that the project cannot be developed as designed, we recommend that the time extension be denied.

Attachment 4
City Engineer Memo
PD 04-012 & CUP 04-016

Attachment 5

Draft Resolution A

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
DENYING A TWO-YEAR TIME EXTENSION
FOR PLANNED DEVELOPMENT 04-012 & CONDITIONAL USE PERMIT 04-016
(PIERCE)
APN: 025-501-009 & 010

WHEREAS, a time extension request for Planned Development 04-012 & CUP 04-016, has been filed by Robert's Engineering on behalf of Mark Pierce; and

WHEREAS, PD 04-012 & CUP 04-016 is a proposal to establish a 120,000 square foot mini storage facility with a care taker unit; and

WHEREAS, the site is located at 1601 North River Road; and

WHEREAS, the project was originally approved by the Planning Commission on November 23, 2004, approving the construction of a 48,000 square foot storage facility; and

WHEREAS, a revised project was approved by the Planning Commission on May 23, 2006, approving an amendment to the project allowing a 120,000 square foot storage facility; and

WHEREAS, the project was scheduled to expire on May 23, 2008; and

WHEREAS, multiple time extensions have been approved since 2008, with the most recent being in December of 2013, extending the entitlements to December 2015; and

WHEREAS, In February 2013, Ordinance 988 N.S. came in to effect which gives applicants the ability to request a two year time extension; and

WHEREAS, on October 12, 2015, the applicant filed a request for a two year time extension, prior to the December 31, 2015 deadline; and

WHEREAS, this item was continued at the January 26th, February 9th, and February 23rd Planning Commission hearings, in order to allow for additional time to determine if storm water regulations can be met on site in a manner that would be substantially compliant with PD 04-012 & CUP 04-012; and

WHEREAS, it has been determined that the project will need to be significantly re-designed to accommodate storm water regulations, and such changes which would not be consistent with the project approved with PD 04-012 & CUP 04-016; and

WHEREAS, it is not reasonably feasible for the site to be developed in a manner that was approved with PD 04-012 & CUP 04-016; and

WHEREAS, the Planning Commission is empowered through the Zoning Code to approve or deny development plans and their related time extension requests, and

WHEREAS, a public hearing was conducted by the Planning Commission on March 8, 2016 to consider facts as presented in the staff report prepared for this time extension request, and to accept public testimony regarding the extension, and

NOW, THEREFORE, BE IT RESOLVED, that based on the current project not being able to be constructed in a manner that would substantially comply with PD 04-012 & CUP 04-016, the Planning Commission of the City of El Paso de Robles, does hereby deny the applicant's request for a two year time extension to PD 04-012 & CUP 04-016 (025-501-009 & 010).

PASSED AND ADOPTED THIS 8th day of March 2016 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

BOB ROLLINS, CHAIRMAN

ATTEST:

WARREN FRACE, PLANNING COMMISSION SECRETARY

Attachment 6

Draft Resolution 'B'

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT A ONE-YEAR TIME EXTENSION
FOR PLANNED DEVELOPMENT 04-012 & CONDITIONAL USE PERMIT 04-016
(PIERCE)
APN: 025-501-009 & 010

WHEREAS, a time extension request for Planned Development 04-012 & CUP 04-016, has been filed by Robert's Engineering on behalf of Mark Pierce; and

WHEREAS, PD 04-012 & CUP 04-016 is a proposal to establish a 120,000 square foot mini storage facility with a care taker unit; and

WHEREAS, the site is located at 1601 North River Road; and

WHEREAS, the project was originally approved by the Planning Commission on November 23, 2004, approving the construction of a 48,000 square foot storage facility; and

WHEREAS, a revised project was approved by the Planning Commission on May 23, 2006, approving an amendment to the project allowing a 120,000 square foot storage facility; and

WHEREAS, the project was scheduled to expire on May 23, 2008; and

WHEREAS, multiple time extensions have been approved since 2008, with the most recent being in December of 2013, extending the entitlements to December 2015; and

WHEREAS, In February 2013, Ordinance 988 N.S. came in to effect which gives applicants the ability to request a two year time extension; and

WHEREAS, on October 12, 2015, the applicant filed a request for a two year time extension, prior to the December 31, 2015 deadline; and

WHEREAS, this item was continued at the January 26th, February 9th, and February 23rd Planning Commission hearings, in order to allow for additional time to determine if storm water regulations can be met on site in a manner that would be substantially compliant with PD 04-012 & CUP 04-012; and

WHEREAS, the Planning Commission is empowered through the Zoning Code to approve development plans and their related Time Extension requests, and

WHEREAS, a public hearing was conducted by the Planning Commission on March 8, 2016 to consider facts as presented in the staff report prepared for this time extension request, and to accept public testimony regarding the extension, and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby grant a one year time extension (as measured from the most current expiration date of December 31, 2015) to PD 04-012 & CUP 04-016 (025-501-009 & 010), subject to the following conditions:

1. All conditions adopted within resolutions 06-0040, 06-0041 & 06-0042 shall remain in full force and effect (on file in the Community Development Department), except that the following condition shall be added to the project:

The project shall be re-designed to address the storm water requirements, in a manner to be approved by the City Engineer, and subject to findings by the Development Review Committee (DRC) that the revised project would be substantial compliance with PD 04-012 & CUP 04-016.

2. Planned Development 04-012 and CUP 04-016 shall expire on December 31, 2016, unless a time extension request is filed prior to that date.

PASSED AND ADOPTED THIS 8th day of March 2016 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

BOB ROLLINS, CHAIRMAN

ATTEST:

WARREN FRACE, PLANNING COMMISSION SECRETARY



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

AFFIDAVIT OF MAIL NOTICES PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Monica Hollenbeck, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Planned Development 04-012 and Conditional Use Permit 04-016 – Time Extension, on this 14th day of January, 2016.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: Monica C Hollenbeck
Monica Hollenbeck

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION
PROJECT NOTICING

Newspaper: The Tribune

Date of Publication: 01/15/16

Meeting Date: 01/26/16
Planning Commission

Project: Time Extension for Planned
Development 04-012 – APPLICANT
– PIERCE MINI STORAGE
FACILITY

I, Monica C Hollenbeck, employee of the
Community Development Department, Engineering
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: Monica C Hollenbeck
Monica C Hollenbeck

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 a request for a 2-year time extension for the following project:

Planned Development 04-012: a development plan application, filed by Tim Roberts on behalf of Mark Pierce, to construct a 120,617 square foot mini-storage facility. The project is located at 1601 North River Road.

The meeting will begin at the hour of 6:30 pm on January 26, 2016, in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.

Questions about this application may be directed to the Community Development Department at (805) 237-3970 or via email at planning@prcity.com. Comments on the proposed Conditional Use Permit may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to planning@prcity.com provided that such comments are received prior to the time of the hearing.

If you challenge the time extension 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
January 15, 2016 2210682