

RESOLUTION NO. 99-070
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE PLANNED DEVELOPMENT 99004
(NEWPORT EQUITY CAPITAL, CORP.)
APNS: 009-831-008

WHEREAS, section 21.23.B.030 of the Municipal Code of the City of El Paso de Robles requires approval of a development plan for subdivision and/or construction of buildings when located in the planned development overlay district, which is the case for this parcel, and

WHEREAS, this Planned Development 99004 is filed in conjunction with Parcel Map PR 99-035 which is a proposal to divide an approximate 6 acre commercial parcel into four (4) parcels located on the north side of Gahan Place, west of Theater Drive and south of Highway 46 West, and

WHEREAS, Central Coast Engineering on behalf of Newport Equity Capital Corporation has filed this development plan application to establish the design and development standards that will govern the future development patterns for lots 1 through 4 of Parcel Map PR 99-035, and

WHEREAS, an environmental initial study was prepared for this development plan request, covering the physical site and design issues associated with the subdivision and its future build-out, and

WHEREAS, public hearings were conducted by the Planning Commission on September 14, 1999 and October 26, 1999, to consider the initial study prepared for these applications, and to accept public testimony regarding this proposed environmental determination on the parcel map and development plan, and

WHEREAS, a resolution was adopted by the Planning Commission approving a Negative Declaration status for this project, and a mitigated Negative Declaration was prepared for the proposed Parcel Map and Planned Development applications in accordance with the California Environmental Quality Act, and

WHEREAS, based upon the facts and analysis presented in the staff reports, public testimony received and subject to the conditions of approval listed below, the Planning Commission makes the following findings:

1. That the proposed Planned Development is consistent with the goals and policies established by the general plan;
2. That the proposed Planned Development is consistent with the zoning code;
3. That the proposed Planned Development will be consistent with all other adopted codes, policies, standards and plans of the city;
4. That the proposed Planned Development will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the person residing or working in the

neighborhood, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city;

5. That the proposed Planned Development accommodates the aesthetic quality of the city as a whole;
6. That the proposed Planned Development is compatible with, and is not detrimental to, surrounding land uses and improvements, provides appropriate visual appearance, and contributes to the mitigation of environmental and social impacts;
7. That the proposed Planned Development contributes to the orderly development of the city as a whole.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 99004 based upon the facts and analysis presented in the staff reports, public testimony received, and subject to the following conditions:

STANDARD CONDITIONS:

1. The applicant shall comply with the following standard conditions:
 - a. This project approval shall expire on October 26, 2001 unless a time extension request is filed with the Community Development Department prior to expiration.
 - b. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
 - c. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
 - d. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.
 - e. All trash enclosures shall be constructed of decorative masonry block compatible with the main buildings. Gates shall be view obscuring and constructed of durable materials such as painted metal or chain link with plastic slatting.
 - f. All existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans.

- g. All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans.
- h. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and subject to approval by the Community Development Director or his designee.
- i. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- j. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.
- k. The following areas shall be placed in the Landscape and Lighting District:
The landscaping and wall along the back of parcel 1 and 2, adjacent to Highway 46 West and parkway landscaping within Gahan Place and Fortini Drive.

The developer shall install all improvements and landscape areas. City acceptance on behalf of the Landscape and Lighting District shall be subject to the approval of the Public Works Street Department (237-3864).
- l. All parking lot landscape planters shall have a minimum outside dimension of six feet and shall be separated from parking and driving areas by a six inch high solid concrete curb.
- m. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.

SITE SPECIFIC CONDITIONS:

NOTE: In the event of conflict or duplication between standard and site specific conditions, the site specific condition shall supersede the standard condition.

COMMUNITY DEVELOPMENT:

- 2. The approval of Planned Development 99004 authorizes the recordation of Parcel Map PR 99-035 subject to compliance with all standard and site specific conditions

contained in this resolution and the resolution granting tentative map approval to Parcel Map PR 99-035.

3. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Preliminary Site and Landscaping Plan
B	Preliminary Elevation Concept / Colors and Materials
C	Development Plan Text and Parameters

4. The building architecture, use of color and materials shall be architecturally compatible with Exhibit "D" of this resolution, and generally of quality and character that is compatible with the adjoining Target Center to the south of this project site.
5. Consistent with the conditions contained in the resolution granting tentative map approval for Parcel Map PR 99-035, the applicant shall submit the following final plans for review and approval by the Development Review Committee (DRC):
 - a. Master Sign Program
 - b. Decorative Screen Wall and Landscaping Treatment along Highway 46 frontage
 - c. Perimeter Screen Walls for east and west property boundaries
 - d. Master Landscaping Material Palette
 - e. Parkway Landscaping details for Gahan and Fortini Drive
6. All lighting within the parcel map area and for development of future parcels shall be fully shielded so as to direct light downward and not create off-site glare.
7. Future site development shall be subject to first obtaining a Conditional Use Permit and Planned Development approval by the City's Planning Commission upon conducting appropriate public hearings. At such time that development and use applications are proposed, a determination will be made on the appropriate level of environmental review required under California law.
8. All future development will be expected to demonstrate compliance with the design parameters established by the Planned Development and the subsequent plans placed in effect by the Development Review Committee. Any substantial deviation from these adopted design standards would require the processing of a Planned Development amendment with consideration by the Planning Commission.
9. All buildings that are visible from a public street (including City streets and State Highways) shall be designed with architectural character and design commensurate with front elevations (i.e., "four-sided" architecture).
10. Any outdoor storage and/or service areas that might be proposed as part of future lot construction shall be fully screened with a combination of solid wall/fence and irrigated landscaping. Through the design review process, the City may require extraordinary measures to assure adequate visual screening of outdoor use areas that are visible from

the Highway 46 West corridor. Alternatively, if service areas cannot adequately be screened, such outdoor use areas may be limited to the portions of the site that are not visible from the Highway 46 West corridor.

11. As shown within the exhibits and text of this Planned Development approval, the four parcels covered by this master Planned Development shall comply with the master sign program to be approved by the Development Review Committee and shall only be permitted to apply for a maximum of (1) singular highway oriented sign to be shared between all parcels. The design of this highway oriented sign shall be architecturally enhanced to have ample massing and dimension so as to reflect the character of the building design approved by this resolution (a "pole sign" would not meet the intent and expectation of this condition). Regardless of the design parameters established through a master sign program for these parcels, no highway oriented sign shall be permitted or established unless a Conditional Use Permit is first secured.

PASSED AND ADOPTED THIS 26th day of October, 1999, by the following Roll Call Vote:

AYES:	JOHNSON, NEMETH, STEINBECK, TASCONA, WARNKE
NOES:	NONE
ABSENT:	FERRAVANTI, FINIGAN
ABSTAIN:	NONE

CHAIRMAN, ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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