

RESOLUTION NO. 00-021

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE PLANNED DEVELOPMENT 99026
(JERRY HANDLEY)
APN: 003-031-003

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(s), and

WHEREAS, this Planned Development 99026 is filed in conjunction with Parcel Map PR 99-068 which is a proposal to divide an approximate 34,000 square foot multiple family residential parcel into two parcels of approximately 17,000 square feet each, and

WHEREAS, Planned Development 99026 is a proposal to develop four (4) residential dwelling units on Parcel 1 of the aforementioned map (3504 Oak Street) and a total of eight (8) dwelling units on Parcel 2 where there has previously been a combination of commercial (downstairs) and up to six (6) dwelling units (upstairs) at 3505 Spring Street, and

WHEREAS, this project is located on property addressed as 3505 Spring Street and 3504 Oak Street, and

WHEREAS, the existing uses within the building at 3505 Spring Street have historically been a combination of commercial and residential uses, and the applicant proposes to convert the commercial portion of the building to residential units and bring the site into compliance with current zoning and building code requirements, and

WHEREAS, the applicant's proposal to replace the commercial use and establish a total of eight (8) dwelling units at the 3505 Spring Street site would exceed the normal permissible residential density for the site by three units, and

WHEREAS, the Land Use Element of the General Plan contains language for the RMF-M category that would allow the eight (8) unit density when the Planning Commission can make findings that such minor increases in density would not be more intensive than the previous commercial use, would be compatible with the neighborhood and would generally result in a greater community benefit, and

WHEREAS, surrounding properties are currently developed with residential densities similar to that being requested by the applicant, 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 October 26, 1999, December 4, 1999, January 25, 2000 and March 28, 2000 to consider the initial study prepared

for these applications, and to accept public testimony regarding this 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 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;
8. The requested density of eight (8) units in replacement of the existing commercial downstairs portion of the existing building at 3505 Spring Street would be compatible with the surrounding land use pattern in the neighborhood;
9. The elimination of the existing commercial use at this site and the overall upgrade of the building and site to comply with building and zoning code for the proposed eight units will result in a greater community benefit than the existing mixed use building.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 99026 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 March 28, 2002 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. 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.
- l. 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 99-068 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 99-068.
- 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 Grading and Drainage Plan
C1-C2	Elevation Concepts for 3505 Spring Street
D1-D2	Elevation Concept and Rendering for 3504 Oak Street
E*	Floor Plans

* Indicates Plans are on file in the Community Development Department.

- 4. Consistent with the conditions contained in the resolution granting tentative map approval for Parcel Map PR 99-068, the applicant shall submit the following final/detailed plans for review and approval by the Development Review Committee (DRC):
 - a. Final Building Elevations
 - b. Colors and Materials for Buildings
 - c. Landscaping and Hardscape Details
 - d. Trash Enclosures and Electrical/Mechanical Screening Methods
 - e. Retaining Wall and Fencing Details
 - f. Lighting Fixture Shielding

Note: Final plans shall be in compliance with the technical standards set for by the Residential Multiple Family Chapter of the Zoning Code and shall reflect the required modifications and stipulations as set forth in this resolution.

5. All lighting fixtures for existing and proposed buildings and use areas shall be fully shielded so as to direct light downward and not create off-site glare.
6. The following plan modifications shall be reflected in the Final Design Plans for 3504 Oak Street:
 - a. The Site Plan shall be modified to eliminate the two parking stalls (5 & 6) shown between units C and D.
 - b. Final Landscaping shall indicate appropriate removal of nuisance trees (tree of heaven) existing on the property and new landscape palette shall reflect a combination of lawn areas, trees, shrubs and ground cover. Landscaping shall be used to enhance the buildings, to create shade, to shield electrical and mechanical equipment and soften the appearance of the block trash enclosure.
 - c. Decorative block trash enclosure detail to be provided.
 - d. A fencing plan shall be provided and shall include enclosure of the private yard areas. The fence shall be constructed of durable material and solid design with appropriate gate openings (no chain link).
 - e. Color and materials shall be chosen to create unity between the buildings, the block materials, hardscape and landscaping.
7. The following plan modifications shall be reflected in the Final Design Plans for 3505 Spring Street:
 - a. Plans shall be clearly labeled to document downstairs storage areas being for tenant use only and not intended for any commercial use or purpose.
 - b. Balcony materials and overall color and material palette for the building shall be provided. Refinishing of existing painted surfaces may be required in conjunction with materials review.
 - c. Retaining wall shall be of decorative block to match trash enclosure detail.
 - d. A fencing plan shall be provided and shall include enclosure of private yard areas for downstairs units (durable, solid construction design rather than chain link).
 - e. Final Landscaping shall include appropriate soil preparation after removal of site debris to assure longevity of landscape planting.
 - f. Plant screen materials shall be included along the western boundary of the project site to soften the retaining wall and fence height.
 - g. Final Landscaping shall include enhanced plant materials adjacent to Spring Street (trees and shrubs) to enhance the street frontage.
 - h. An alternative elevation treatment along the Spring Street frontage shall be provided for DRC consideration to give the building more of a polished look and to avoid the “abandoned look” since these windows are part of the unused storage area.
8. All existing exterior site debris, including old construction slabs, and related materials shall be removed and cleaned from both sites.

9. Prior to occupancy of units at 3505 Spring Street, the applicant shall provide documentation to the satisfaction of the Building Official and Planning staff that the remains of the kitchen and related downstairs commercial use does not contain hazardous electrical, mechanical, plumbing or appliance/fixtures, nor any health and/or nuisance features.
10. In accordance with correspondence received from the applicant, dated March 28, 2000, within 12 months from the date of adoption of this resolution, the applicant shall complete all zoning and building code compliance/retrofit for the occupancy of the existing building at 3505 Spring Street in accordance with the conditions of approval of PD 99026. If said improvements are not completed, the applicant has stated his acknowledgement that Certificates of Occupancy will not be granted for the site.
11. All overhead power service lines (existing and future) shall be undergrounded in conjunction with site development.

PASSED AND ADOPTED THIS 28th day of March, 2000, by the following Roll Call Vote:

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

CHAIRMAN, GARY NEMETH

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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