

RESOLUTION NO.: 01-038  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE PLANNED DEVELOPMENT 01-001  
(APPLEBAUM / GUTH)

APN: 009-154-001, 014 & 015

WHEREAS, Planned Development 01-001 has been filed by David Brown on behalf of Charles Applebaum and Karen Guth for the construction of a 10,000 square foot two-story office building, on property located on the southeast corner of Park Street and 9<sup>th</sup> Street, and

WHEREAS, Section 21.16A.050 of the Municipal Code requires adoption of a development plan in conjunction with the development of any property within a Planned Development Overlay District, and

WHEREAS, a public hearing was conducted by the Planning Commission on April 24, 2001, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed development plan, and

WHEREAS, a resolution was adopted by the Planning Commission approved a Negative Declaration status for this project, and a Negative Declaration was prepared for the proposed Planned Development application 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. 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 this permit will not adversely affect the policies, spirit and intent on the general plan, applicable specific plans, the zoning code, policies and plans of the City;
  - b. The proposed project is designed to be sensitive to, and blend in with, the character of the site and surrounding area;

c. The proposed project's design and density of developed portion of the site is compatible with surrounding development and does not create a disharmonious or disruptive element to the surrounding area;

d. The development would be consistent with the purpose and intent of this chapter and would not be 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 Planned Development 01-001 subject to the following conditions:

**STANDARD CONDITIONS:**

1. The applicant shall comply with all those conditions which are indicated on "Exhibit A" to this Resolution.
2. 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>
B	Preliminary Site /Grading / Landscape Plan
C	Building Elevations
D	Color and Material Board

\* Indicates that exhibit is on file in the Community Development Department.

3. 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.

**COMMUNITY DEVELOPMENT SITE SPECIFIC CONDITIONS:**

4. The project plans shall be revised to show the West Side Standard Street section (A-12) which include a 9 foot parkway between the curb and sidewalk. The park way shall be concrete with Street trees plated with decorative tree wells and concrete pavers (see detail for Public Safety Center). Street tree type shall be 'Aristocrat Pear', planted at a ratio of one per 40 Feet (similar to the standard for City Hall and the new Public Safety Center). Final parkway/street tree details need to be submitted to the Development Review Committee for review.

5. Future signs shall be submitted to the Development Review Committee for review and approval.
6. The light fixtures shall be designed to be fully shielded and subject to planning staff review prior to issuance of construction permits.
7. Plans for additional stair cases (if necessary) need to be reviewed by the Development Review Committee.
8. The proposed driveway entrances and exits shall be widened to twenty-four feet (24) minimum as required Section 21.22.60.d. of the Zoning Code.

### **EMERGENCY SERVICES SITE SPECIFIC CONDITIONS**

9. A fire hydrant will be required to be installed on the northwest corner of 9<sup>th</sup> and Park Streets.
10. Approved Automatic Fires Sprinkler System will be required to be installed in the buildings.
11. Provide KNOX box locked key box at approved location.

### **ENGINEERING SITE SPECIFIC CONDITIONS**

12. The following mitigation measures are recommendations from the Tree Protection and Tree Preservation Report prepared by Jack Brazeal, RCA 377, prepared on January 26, 2001, and shall be followed in order to protect the two oak trees on the site:

**40" diameter valley oak tree.** The health condition of this tree is good and is proposed to be saved. This tree will be impacted by the project design and curb, gutter and sidewalk improvements.

Mitigation:

- A. Do not grade, trench, cut or fill within the protected area of this tree's root system.
- B. Install a tree protection fence at these perimeters: (1) back of proposed curb and gutter (2) edge of proposed drive from back of curb line to the corner of parking spaces #1 to the proposed building and then back to the curb line (see attached plan with PD resolution).
- C. Within the protected perimeter design and install curbs, protective barrier and interlocking pavers using river sand to accomplish the desired grade (see attached photo for design concept).

- D. This tree is to be pruned by a professional arborist. This tree is to be pruned from crown reduction, using approved arboricultural practices.
- E. Do not install any plants or irrigation within the trees protected area.

**10" diameter California coast live oak tree.** This is healthy and is to be saved. This tree will be impacted by the proposed parking lot and site improvements.

Mitigation:

- A. Install a tree protection fence at the outside edge of this tree's dripline that is located within the area proposed for development.
  - B. Eliminate parking space #17. Install a curb around this tree at the perimeters shown on the site plan. Do not grade, trench, cut or fill within the protected area of this tree's root system.
  - C. Install a tree protection fence at the recommended curb line.
  - D. Install 4 to 6 inches of clean wood chips for mulch within the trees protected root zone area.
  - E. Do not install any plants or irrigation within the trees protected area.
13. The Overhead utility lines along the east side of Park Street shall be placed underground.
  14. In addition to the installation of curb, gutter and sidewalk along 9<sup>th</sup> and Park Street frontages, a cross gutter complying with City Standard B-7 shall be constructed from the centerline of Park Street to the southeast corner of the 9<sup>th</sup> Street intersection.
  15. The applicant shall provide a minimum 6-inch diameter sewer lateral connecting to an existing manhole in Park Street
  16. The applicant shall install an 8-inch waterline in 9th Street between Park and Pine to

supplement the existing 4-inch diameter that already exists since this proposed project would require additional fireflow demand.

17. The applicant shall construct alley to City Standard along his property. This includes minimum 20-foot paving with a concrete vee-gutter at the center.
18. The applicant shall install a separate meter and service for landscape irrigation

PASSED AND ADOPTED THIS 24<sup>th</sup> day of April 2001, by the following Roll Call Vote:

AYES: Nicklas, McCarthy, Warnke, Johnson, Steinbeck, Tascona, Calloway

NOES: None

ABSENT: None

ABSTAIN: None

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CHAIRMAN RON JOHNSON

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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