

RESOLUTION NO.: 02-044
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE PLANNED DEVELOPMENT 02-003
(Food 4 Less)
APN: 009-571-020

WHEREAS, Planned Development 02-003 has been filed by SKW & Associates on behalf of Food 4 Less (Milt Souza), to construct an approximate 52,400 square foot Food 4 Less grocery store, an approximate 18,400 square foot Drug Store and approximately 20,000 square feet of other retail uses including fuel sales with the possibility of a accessory car wash, and

WHEREAS, the project would be located on the existing vacant 9-acre site on the northeast corner of Creston Road and Sherwood Road, and

WHEREAS, the applicant is also seeking approval of a design that would accommodate a possible drive through use that would be subject to a separate Conditional Use Permit and would also require approval of a zone change or code amendment, either of which would be separate applications, and

WHEREAS, in conjunction with PD 02-003 an application for Conditional Use Permit 02-009 has been filed to ensure that the proposed land uses will not have a significant adverse effect on the economic vitality of the downtown as required by Ordinance 568 N.S., and

WHEREAS, a public hearing was conducted by the Planning Commission on August 13, 2002, to consider the initial study prepared for this application, and to accept public testimony regarding this proposed environmental determination on the 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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby resolve, determine and order as follows, based upon the facts and analysis presented in the staff reports, and public testimony:

That the Planning Commission of the City of El Paso de Robles does hereby make 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. That the proposed "touchless" carwash would be considered an accessory use to the shopping center and would therefore be permitted use in the CP zone.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby resolve, determine and order as follows, based upon the facts and analysis presented in the staff reports, and public testimony:

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 Plan
C	Preliminary Landscaping Plan
D1-D3	Preliminary Exterior Elevations for Food 4 Less
E	Preliminary Exterior Elevations for Building "E"
F	Preliminary Exterior Elevations for Building "G"
G1-G3	Preliminary Grading Plans
H	Preliminary Site Utility Plan
I	Topographic Survey & Demolition Site Plan
J	Color and Materials Board (On file)

*Large copies of plans are on file in the Community Development Department

PLANNING SITE SPECIFIC CONDITIONS:

3. This planned development application, PD 02-003, would allow the construction of an approximate 52,400 square foot Food 4 Less grocery store, an approximate 18,400 square foot drug store and approximately 20,000 square feet of other retail uses including fuel sales with an accessory "touch less" car wash.
4. The project shall comply with all conditions of approval in the resolution granting approval to Conditional Use Permit 02-009 and its exhibits.
5. The architecture, colors, and materials used for the Food 4 Less building will establish the architecture character for the site. Through the Site Plan Review process, the Development Review Committee (DRC) shall review the plans for any of the pad buildings including the proposed drug store for consistency with the Food 4 Less building.
6. The approval of this development plan does not approve the use of the drive through restaurant as shown as Pad "F" of Exhibit B. If in the future the zoning code is changed or the zoning designation of the property is changed to allow for drive through uses, the use shall be handled under a separate Conditional Use Permit.
7. With the submittal of the construction drawings for a Building Permit, the site plan shall provide for a twenty-five (25) foot landscaped setback along both Creston Road and Sherwood Road. No buildings or parking areas shall be within the 25-foot setback area.
8. Prior to the issuance of a Building Permit, a final landscape and irrigation plan shall be submitted for Staff approval. The plan shall include the following:
 - Specify size and spacing of plant material.
 - Specify location of PG&E vault and backflow prevention device and how these will be screened with landscaping.
 - The trees within the parking lot will need to be adequate species and spaced properly so that there is a 25 percent shade coverage within 5-years.
9. No outdoor storage is allowed with this development plan.
10. All signage will need to be submitted to the DRC for review. The architect needs to submit a sign program for the center to show how future tenant signage will stay with in the character of the development.
11. Two monument signs are permitted for the shopping center; one 32 square foot, 6-foot high sign is allowed for each street frontage. Plans shall be submitted for the DRC for approval.
12. Construction around the oak trees shall be performed in a manner as described in the arborist report for the site, performed by Hort Science Inc., dated March 6, 2002 and the update dated

April 4, 2002. All mitigations and construction requirements specified in the arborist report shall be reproduced on the grading plan.

13. Prior to the issuance of a grading permit, details for the block walls along the northern and eastern property lines shall be submitted for DRC review. The walls shall be constructed of decorative masonry (split-face block, slump stone or stucco covered precision block).
14. Prior to occupancy of the Food 4 Less building, a bus shelter and turn-out lane shall be installed on site. The architecture of the shelter shall be consistent with the architecture for the shopping center. Site plans and elevations for the shelter shall be submitted for DRC review prior to the issuance of a grading permit. The Bus shelter and turn-out lane may be within the 25-foot landscaped setback.
15. Cut sheets for all exterior light fixtures including parking lot lights shall be approved by Planning Division prior to installation. All fixtures shall be fully shielded with no exposed lens. Extraordinary efforts will need to be made for the light within the fuel island canopy to ensure no off-site glare. Any pole lights along the northern and eastern boundaries bay also need further shielding since they would be adjacent to residential uses.

ENGINEERING SITE SPECIFIC CONDITIONS

16. Creston Road and Sherwood Road shall be improved to Arterial Standards and in accordance with the approval of the City Engineer.
17. An on-site storm water detention basin shall be provided in accordance with a design approved by the City Engineer.
18. Existing overhead utility lines on Creston Road and Sherwood Road adjacent to the frontage of the project, shall be relocated underground.

AIR POLLUTION CONTROL DISTRICT CONDITIONS

Dust Control Measures:

19. Reduce the amount of the disturbed area where possible.
20. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site.
21. Increased watering frequency would be required whenever wind speeds exceed 15 mph.
22. Reclaimed (nonpotable) water should be used whenever possible.

23. All dirt stockpile areas should be sprayed daily as needed.
24. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
25. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
26. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
27. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
28. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
29. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
30. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
31. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

NO_x Control Measures:

32. The project owner shall require that all construction equipment shall be properly maintained and tuned according to manufacturer's specifications.
33. The project owner shall require that all off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, shall be fueled exclusively with CARB motor vehicle diesel fuel.

Operation

34. Provide bike parking at a ratio of one bike parking space for every 10 automobile spaces.
35. Provide preferential carpool parking for employees.

36. Increase wall and attic insulation beyond Title 24 requirements.
37. Plant shade trees along southern exposures to reduce summer cooling needs.
38. Provide double paned windows.
39. Use low energy parking lot and street lights.
40. Use energy efficient interior lighting.
41. Designate an employee as the transportation/rideshare coordinator.
42. A bus shelter/turnout should be constructed in front of the shopping center, on Creston Road, to be served by CCAT Route 9.

PASSED AND ADOPTED THIS 13th day of August 2002, by the following Roll Call Vote:

AYES: Ferravanti, Warnke, Steinbeck, Johnson, Kemper

NOES: Calloway

ABSENT: McCarthy

ABSTAIN: None

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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