

RESOLUTION NO.: 02-065
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE AMENDMENT TO PLANNED DEVELOPMENT 02-003
(East Village Shopping Center, Food 4 Less)
APN: 009-571-020

WHEREAS, an amendment to Planned Development 02-003 has been filed by Newlin Hastings on behalf of East Village Shopping Center LLC, to defer the construction of the required screen wall along the northern property boundary of the East Village Shopping Center until such time that the residential property to the north develops, and

WHEREAS, the East Village Shopping Center is located on the 9-acre site on the northeast corner of Creston Road and Sherwood Road, and

WHEREAS, the Planning Commission approved Planned Development 02-003 on August 13, 2002, and

WHEREAS, Planned Development 02-003 would consist of 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 and an accessory car wash, and

WHEREAS, Section 21.22.060.J of the Zoning Ordinance requires a 5 to 6-foot screen wall to be constructed when a parking lot is adjacent to a residentially zoned property, and

WHEREAS, since the property to the north has General Plan and Zoning designations of RMF-H/R-4, a wall is required to be constructed with the development of the East Village Shopping Center, and

WHEREAS, the Ordinance requires this wall to be installed at the time that the commercial project is developed whether the neighboring residential site is developed or not, and

WHEREAS, the applicant owns both the East Village Shopping Center site and the 10-acre residentially designated and zoned property to the north, he requests that the construction of the wall be deferred to a later date so that the wall design and height can be coordinated with the future residential development, and

WHEREAS, a public hearing was conducted by the Planning Commission on September 24, 2002, to consider to accept public testimony regarding this proposed development plan amendment, 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 amendment of the Planned Development is consistent with the goals and policies established by the General Plan;
2. That the proposed amendment of the Planned Development is consistent with the zoning ordinance;
3. That the proposed amendment of the Planned Development will be consistent with all other adopted codes, policies, standards and plans of the city;
4. That the proposed amendment of the 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 amendment of the Planned Development accommodates the aesthetic quality of the City as a whole;
6. That the proposed amendment of the 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 amendment of the Planned Development contributes to the orderly development of the city as a whole.
8. That the deferral of the construction of the screen wall along the northern boundary until such time as the residential project to the north develops would not be detrimental to the surrounding land uses, since at this time the property is vacant (except for the one existing residence located towards the rear of the property) and the same property owner has control of both sites and will construct the wall at the time of the development of the residential site.

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:

PLANNING SITE SPECIFIC CONDITIONS:

1. This planned development amendment application would allow the deferral of the construction the screen wall along the northern boundary of the East Village Shopping Center site until the time of development of the residential zoned property to the north.
2. Prior to the occupancy of the Food 4 Less grocery store, that a constructive notice is to be recorded against the residential property to the north to the satisfaction of the Community Development Director requiring a 5 to 6 foot screen wall be constructed along the southern property line per Section 21.22.060. J of the Zoning Ordinance.
3. All conditions within Resolutions 02-043, 02-044 and 02-045 for the East Village Shopping Center shall be abided by and stay in full effect.

PASSED AND ADOPTED THIS 24th day of September 2002, by the following Roll Call Vote:

AYES: Warnke, McCarthy, Johnson, Calloway, Kemper

NOES: None

ABSENT: Steinbeck, Ferravanti

ABSTAIN: None

CHAIRMAN PRO TEM RALPH McCARTHY

ATTEST:

TINA RYDER, ACTING PLANNING COMMISSION SECRETARY

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