

RESOLUTION NO: 02-079

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 02-025
(BASTIDE VILLAGE – BEATRICE AND DIDIER COP)
APN: 025-391-014

WHEREAS, Chapter 21.18B of the Zoning Code of the City of El Paso de Robles requires Planning Commission approval of a Permitted, Accessory/Ancillary, and Conditionally Permitted Land Uses for properties located in the Resort/Lodging (R/L) Overlay District; and

WHEREAS, the Beatrice and Didier Cop have filed a Conditional Use Permit application to establish a French village resort with an 80-room, 93,003 square foot destination resort/spa hotel and 38,400 square feet of ancillary/related land uses, including conference facilities, meeting rooms, a Parisian bakery, a cooking/bakery school, retail shops, a spa, and caretaker housing, which resort complex is to be surrounded by 17 single-family residential parcels on half acre and one-acre sites (with a minimum lot size of 20,000 square feet); and

WHEREAS, the Bastide Village Project site is located at the northeast corner of Buena Vista Drive and Experimental Station Road in Subarea D of the Borkey Area Specific Plan; and

WHEREAS, in addition to the Conditional Use Permit application, the Bastide Village Project includes the following applications: a) Specific Plan Amendment 02-004, b) Zone Change 02-007, c) Planned Development 02-014, d) Tentative Tract Map No. 2504, and e) an Oak Tree Removal Permit; which applications were filed and considered concurrently with this Conditional Use Permit request, and

WHEREAS, based on the size and variety of features associated with the Bastide Village Project, which include a resort/spa hotel, a spa, a bakery, a cooking/bakery school, retail shops, conference facilities, meeting rooms, and other hospitality elements, the Planning Commission finds that twenty-five (25) caretaker's units would be appropriate; and

WHEREAS, at its December 10, 2002 meeting, the Planning Commission held a duly noticed public hearing on the Bastide Village Project, to accept public testimony on the proposal, including Conditional Use Permit 02-025 and related applications; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed Bastide Village Project qualifies for adoption of a Negative Declaration; and

WHEREAS, based upon the facts and analysis presented in the staff report and attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission finds that:

1. The establishment, maintenance, and operation of the requested land uses included as part of the Bastide Village Project, will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood setting.
2. The establishment, maintenance, and operation of the requested land uses included as part of the Bastide Village Project will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 02-025 subject to the following conditions:

STANDARD CONDITIONS

1. The Conditional Use Permit for the Bastide Village Project shall not be operative or vested until the following applications have been approved and put into effect:
 - A. General Plan Amendment 02-03;
 - B. Zone Change 02-007;
 - C. Specific Plan Amendment 02-004;
 - D. Planned Development 02-014;
 - E. Tentative Tract Map No. 2504; and
 - F. Oak Tree Removal Permit or equivalent measures to address oak tree impacts.
2. The Bastide Village Project shall comply with all Conditions of Approval and Exhibits contained in this Resolution and the associated Resolutions for the above-referenced Specific Plan Amendment, Planned Development, Tentative Tract Map, and Oak Tree Removal Permit.

SITE SPECIFIC CONDITIONS

3. This Conditional Use Permit, together with the amended Borkey Area Specific Plan and application of the R/L Zoning Overlay District to the project site, authorizes the following land uses to be developed, maintained, and operated on the project site:

A. Permitted Land Uses for Parcel 18 of Tentative Tract Map 2504

1. Resort Hotel – Le Village Hotel
2. Pool and Tennis Courts for the Resort Hotel

B. Permitted Land Uses for Parcels 1 to 17 of Tentative Tract Map 2504

1. Single- Family Residential

C. Permitted Accessory/Ancillary Land Uses for Parcel 18 of Tentative Tract Map 2504

1. Le Village Spa
2. Restaurant for the Resort Hotel and associated outdoor eating area
3. Conference and Meeting Rooms for the Resort Hotel
4. Retail Shops, Bakery, and Offices for the Resort Hotel
5. Cooking/Bakery School

D. Permitted Accessory/Ancillary Land Uses for Parcels 1 to 17 of Tentative Tract Map 2504

1. Horse, cattle, sheep keeping as an accessory to a residential use per Section 21.20.100 of the Zoning Ordinance on lots 1 acre or greater (and conditionally permitted on lots less than an acre)
2. Poultry and rabbit keeping as an accessory to a residential use per Section 8.04.150 of the Municipal Code
3. Crop production (includes dry and irrigated farming, orchards, vineyards) if conforming to Section 21.16E.040 of the Zoning Ordinance
4. Second units for related senior citizens as an accessory to a residential use if conforming to Chapter 21.16D of the Zoning Ordinance
5. Guest house without kitchen facilities as an accessory to a residential use
6. Home Occupation business if conforming to Chapter 21.23.070 of the Zoning Ordinance
7. Residential Care Facilities (for the elderly, handicapped, etc...) with 6 or fewer residents
8. Day care center with 6 or fewer children
9. Temporary Construction Yard in connection with a valid building permit on the site of the building permit or on an immediately adjacent site, subject to issuance of a Temporary Use Permit.

10. Temporary Trailer and/or Building for use as a construction office subject to issuance of a Temporary Use Permit.

E. Conditionally Permitted Land Uses for Parcel 18 of Tentative Tract Map 2504

1. 25-caretaker dwelling units/dormitory style apartments. These caretaker dwelling units/dormitory style apartments shall not be used nor converted for transient occupancy. The provision of these on-site caretaker dwelling units/dormitory style apartments shall be subject to public park and recreation in-lieu fees.
2. Temporary Special Events of 300 or less guests subject to the review and approval of the Community Development Director or designee as to compliance with the terms and conditions of this Conditional Use Permit and the following provision that the Resort/Spa Hotel Owner and/or Operator shall work with the City and Cuesta College to:
 - a) Mitigate and/or abate noise related to any outdoor special events that are scheduled to be held before 9am or after 9pm; and
 - b) Establish maximum standards for acceptable noise levels during the outdoor special event. In the absence of a specific standard being established, the noise level measured at the property line shall not exceed 65 dB/L_{dn} (Any noise levels above the established standard shall be subject to nuisance abatement and/or revocation of the Temporary Use Permit).
3. Temporary Special Events of 300 to 400 guests subject to the review and approval of:
 - a) The Community Development Director or designee as to compliance with the terms and conditions of Conditional Use Permit 02-025 and the following provision that the Resort/Spa Hotel Owner and/or Operator shall work with the City and Cuesta College to:
 - i) Mitigate and/or abate noise related to any outdoor special events that are scheduled to be held before 9am or after 9pm; and
 - ii) Establish maximum standards for acceptable noise levels during the outdoor special event. In the absence of a specific standard being established, the noise level measured at the property line shall not exceed 65 dB/L_{dn} (Any noise levels above the established standard shall be subject to nuisance abatement and/or revocation of the Temporary Special Event Permit).
 - b) A security and traffic control plan by the Police Department (which plan is to be approved at least 10-days before the event or, subject to Police Department concurrence, a standard plan may be placed on file with the Police Department).
4. Temporary Special Events with over 400 guests subject to the review and approval of a Temporary Use Permit (TUP); the TUP application shall include parking plans, security and traffic control plans, and noise mitigation plans, in addition to all other requirements of the application.

F. Conditionally Permitted Land Uses for Parcels 1 to 17 of Tentative Tract Map 2504

1. The land uses listed below are not expressly authorized through any of the following entitlements: a) the Master Development Plan for PD 02-014, b) the Borkey Area Specific Plan as amended, c) the application of the R/L Zoning Overlay as established by Zone Change 02-007, and d) Conditional Use Permit 02-025.

While not expressly authorized herein, any of the following land uses or combination thereof may be established as part of the Bastide Village Project subject to issuance of a separate Conditional Use Permit:

- a) Restaurants as an accessory to the resort/spa (outdoor seating and liquor service included);
- b) Tennis courts, raquetball courts, handball courts;
- c) Ballfields, playgrounds, stadiums, and amphitheaters;
- d) Golf course, driving ranges;
- e) Public pools or waterslides ;
- f) Social halls, clubs, lodges, scout huts, and fraternal organizations;
- g) Churches;
- h) Libraries, museums, and art galleries;
- i) Public Facilities;
- j) Public parks, playgrounds, ballfields;
- k) Public Utilities Facilities

- 4. All activity areas shall be in accordance with the Site Plan (Exhibit A) attached to this Resolution.
- 5. The timeframe for implementation of this conditional use permit shall run concurrently with the time frame for PD 02-014.
- 6. Any condition imposed by the Planning Commission in granting this Conditional Use Permit 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 granting of the original permit. 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 under the Conditional Use Permit.
- 7. The Applicant shall submit an “overflow” parking plan, for review by the Development Review Committee, showing any areas designated for special event parking, outside of developed parking areas.
- 8. All parking areas that are visible from public streets and from residential areas shall be landscaped with an emphasis on screening the parking areas from view.

9. Prior to installation/construction of any of the facilities for the Bastide Village Project, the Development Review Committee shall review and approve a Final Development Plan and associated detailed plans.
10. A traffic management program shall include provisions for on-site employee housing to the extent feasible, day care, coordination of special events with Cuesta College for off-site parking and shuttles (to avoid peak period traffic congestion), use of electric golf carts and bicycles for on-site transportation, and resort transportation services provided to groups for off-site winery and golf tours, and to special City events/airports/rail stations.
11. All on-site operations shall be in conformance with the City's performance standards as set forth in Section 21.21.040 of the Zoning Ordinance.
12. Use of the outdoor activity areas shall be consistent with all conditions relating to the mitigation of noise.
13. The caretaker units are for the exclusive use of employees and are not to be used as rental facilities or transient lodging.

PASSED AND ADOPTED THIS 10th day of December, 2002, by the following roll call vote:

AYES: CALLOWAY, FERRAVANTI, JOHNSON, KEMPER, McCARTHY,
 STEINBECK, WARNKE

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY