

RESOLUTION NO.: 02-081

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING PLANNED DEVELOPMENT 02-014 FOR THE BASTIDE VILLAGE PROJECT
(NORTH COAST ENGINEERING FOR BEATRICE AND DIDIER COP)
APN: 025-391-014

WHEREAS, Planned Development 02-014 has been filed by North Coast Engineering on behalf of Beatrice and Didier Cop; and

WHEREAS, Planned Development 02-014 is a proposal to establish a Master Development Plan for the Bastide Village Project; and

WHEREAS, the Bastide Village Project is designed as 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; and

WHEREAS, the main 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, the General Plan land use designation of the Bastide Village Project site is Borkey Area Specific Plan Overlay with an underlying land use designation of RSF-1 (Residential Single Family – 0.75 dwelling units/acre).

WHEREAS, the site is zoned R1 B4 (Residential Single-Family – 1.0 acre) with a PD Overlay (Planned Development) and the Bastide Village Project includes Zone Change 02-007 which would rezone the site to RSF 1 (Residential Single Family – 1.0 acre) with both a PD Overlay (Planned Development) and an R/L Overlay (Resort/Lodging); and

WHEREAS, in addition to the Planned Development application, the Bastide Village Project includes the following requested entitlements: a) Specific Plan Amendment 02-004, b) Zone Change 02-007, c) Conditional Use Permit 02-025, d) Tentative Tract Map No. 2504, and e) an Oak Tree Removal Permit; 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 Planned Development 02-014 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 the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

1. The proposed Bastide Village Project will not be detrimental to the City's efforts to revitalize Downtown Paso Robles since the Project is a destination resort/spa hotel with ancillary/related land uses; the overnight and dining accommodations are designed to support the guests.
2. 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 the Planned Development (PD) will not adversely affect the policies, spirit and intent of the General Plan, the Borkey Area Specific Plan, the Zoning Ordinance, and the policies and plans of the City. Rather, the PD for the Bastide Village Project implements the City's goals as expressed in its General Plan and its Economic Strategy to develop Paso Robles into an "end-destination" tourist attraction.
 - B. The Bastide Village Project maintains and enhances the significant natural resources on the site. This has been accomplished through creation of a terraced hillside development, use of extensive landscaping, and establishment of enhanced architecture.
 - C. The Bastide Village Project is designed to be sensitive to, and blend in with, the character of the site and surrounding area. This has been accomplished through creation of a terraced hillside development, use of extensive landscaping, and establishment of enhanced architecture.
 - D. The design and the density of the Bastide Village Project is compatible with the surrounding development, including Cuesta College - North Campus on the north, single-family residential on the east and the south, and the planned neighborhood commercial and office uses on the west; and the Project will not be disharmonious or disruptive to the surrounding area.
 - E. The Bastide Village Project is consistent with the purpose and intent of the Planned Development and Resort/Lodging Chapters of the Zoning Ordinance and the Project is not 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 02-014, subject to the following conditions:

STANDARD CONDITIONS:

1. The Planned Development 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. Conditional Use Permit 02-025;
 - E. Tentative Tract Map No. 2504; and
 - F. Oak Tree Removal Permit.
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, Conditional Use Permit, Tentative Tract Map, and Oak Tree Removal Permit.
3. The Bastide Village Project shall comply with the checked standard Conditions of Approval, attached hereto as Exhibit A and incorporated by reference herein.

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.

4. The Bastide Village Project shall be constructed in substantial conformance with the Conditions of Approval established by this Resolution and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBIT	DESCRIPTION
A	Standard Conditions of Approval
B	Site Plan
C	Phasing Plan
D	Tentative Tract Map No. 2504
E	Schematic Water System Design
F	Schematic Storm Drain System Design
G	Site Sections
H	Preliminary Grading & Drainage Plan
I	Graphic Representation of Bastide Village
J	Bastide Village - Architecture & Landscape Book
K	Bastide Village – Concept Elevations for the Resort
L	Bastide Village – Concept Elevations for the Homes

5. This Master Development Plan for PD 02-014, together with the Borkey Area Specific Plan as amended, establishes the conceptual framework for development of the Bastide Village Project.

6. This Master Development Plan for PD 02-014, the Bastide Village Project, together with the Borkey Area Specific Plan as amended, the application of the R/L Zoning Overlay as established by Zone Change 02-007, and Conditional Use Permit 02-025 allows for development and operation of the following land uses 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 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:
 - 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, racquetball 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
7. Prior to recordation of the Final Map for Tentative Tract Map 2504, a Final Development Plan for the Bastide Village Project shall be filed with the City for Development Review Committee review and approval (which Plan is to be in substantial compliance with this Master Development Plan).
 - A. The Final Development Plan submittal is to be accompanied by submittal of the detailed plans of: 1) the building architecture, 2) the colors, textures, materials, and finishes of the buildings, site amenities, and appurtenant facilities, 3) the site landscaping and irrigation, 4) the signage program, 5) the precise grading and drainage, 6) the water system, 7) the sewer system, and 8) the street improvements.
 - B. The Final Development Plan and the accompanying detailed plans are to be in substantial conformance with Exhibits B through L, which Exhibits have been incorporated into this Resolution as per Site Specific Condition No. 4.
 - C. All accessory elements including but in no way limited to trash enclosures, mechanical screens, decorative paving, fountains, outdoor lighting, building mounted lighting, tables, chairs, benches, and wall/fences shall be consistent with the architectural theme established for the Bastide Village Project as shown on the Exhibits B through L.
 - D. The Final Development Plan submittal shall include information for review and approval of the Fire Department, which information shows how the required fire flow of 3,000 gallons per minute for 4-hours will be provided to meet all project demands.

8. This Master Development Plan for PD 02-014 includes a Phasing Plan for the construction of the Bastide Village Project. The Project has been divided into four (4) separate phases, with all of the phases to be completed with a period of five (5) years from approval.

A. Unless permits have been issued for Phase 1 and site work has begun, the approval of Planned Development 02-014 shall expire on December 10, 2004. This December 10, 2004 expiration date may be extended by the Planning Commission if, prior to the expiration date, a complete time extension application has been filed with the City along with the appropriate fees.

B. If permits have been issued for Phase 1 and site work has been initiated prior to the December 10, 2004, the subsequent phases shall have the following expiration dates:

Phase 2 – December 10, 2005

Phase 3 – December 10, 2006

Phase 4 – December 10, 2007

Each of these above-referenced expiration dates may be extended by the Planning Commission if, prior to the expiration date, a complete time extension application has been filed with the City along with the appropriate fees.

9. The Development Standards for the Bastide Village Project are listed in the following chart.

Land Use	Maximum Height	Minimum Lot Area	Minimum Front Yard Setback	Minimum Street Side Yard Setback	Minimum Interior Side Yard Setback	Minimum Rear Yard Setback	Maximum Lot Coverage
Resort/Lodging Lot 18 of TR 2504	35 feet*	9 acres	50 ft from Buena Vista R	15 feet	15 feet	15 feet	35%
Single-Family Residential 21,000 square foot lot Lots 1 – 8 and Lots 11 –17 Of TR 2504	35 feet	20,000 sq ft	20 feet	15 feet	15 feet	20 feet	50%
Single-Family Residential One acre lot Lots 9 and 10 Of TR 2504	35 feet	One acre (A lesser minimum lot size may be allowed if needed to accommodate the street.knuckle)	20 feet	15 feet	15 feet	20 feet	50%

Note: *Architectural features, such as towers and some roof elements, may extend to a 50-foot maximum height, subject to Planning Commission review and approval.

10. Prior to recordation of the Final Map for Tentative Tract Map 2504, the Applicant or authorized agent shall record an avigation easement against the property in a form approved by the City Attorney.
11. Prior to issuance of certificates of use and occupancy, the Applicant or authorized agent is required to pay the Development Fees for the Borkey Area Specific Plan as set forth in Resolution 02-127 adopted by the City Council on July 2, 2002.
12. Prior to issuance of a grading permit, the following notes shall be added to the plans:
 - a. The major site grading and disturbance is confined to Spring, Summer and Fall (April through October) to avoid exposure to winter storm periods (November through March).
 - b. The site grading is to be in substantial conformance with the graphic representation and site sections provided.
 - c. Disturbed areas will be replanted with appropriate ground cover and/or erosion control mix immediately following grading so as to stabilize the site and prevent erosion. Other erosion control measures (such as siltation fences, mulching and hydro seeding) may be required by the City as part of the Conditions attached to the grading permit.
 - d. Any existing Oak trees located on the project site shall be protected and preserved as required in City's Oak Tree Preservation Ordinance No. 835 N.S, as codified in Chapter 10.01 - Oak Tree Preservation of the Municipal Code, unless specifically authorized by the City Council to be removed.
 - e. Dust control and PM10 reduction measures shall be implemented to the satisfaction of the City so that site grading does not occur during windy periods, wetting of the soils and/or applying dust control agents is occurring during grading operations in order to ensure that the disturbed areas are stabilized grading.
 - f. If, during site preparation, archeological resources are discovered, all work in the area shall stop and the Planning Division shall be notified. An assessment, including specific mitigation measures, shall be prepared by a qualified individual/consultant, at the applicant's expense, and submitted to the City for review and approval. The recommended mitigation measures shall be followed prior to resuming work in the area.
 - g. The foundations and structural design of the buildings shall be consistent with the Uniform Building Code in order to address potential exposure to soils/geologic conditions and seismic hazards.
13. The Resort buildings and facilities shall include fire alarm, on-site hydrants, adequate water mains and fire sprinkler systems to enhance life safety, minimize risk of property loss and reduce time of response to the satisfaction of the City's Fire Chief.
14. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval. (This provision is not intended to prevent small containers of fuel

or maintenance chemicals normally associated with commercial lodging and/or landscape maintenance).

15. A storm water retention or detention plan including swales along roadways and in building areas and all other proposed methods for directing and/or containing runoff shall be submitted to the City Engineer for review. All storm water facilities shall be designed and constructed to the satisfaction of the City Engineer.
16. All wastewater from the hotel, restaurant, caretaker units, and other resort facilities, as well as from the single-family residences (except as may be specifically approved by the City for use as part of the irrigation system) shall be connected to approved extensions of the City's sewer system.
17. All new uses on the site shall be connected to the City's water supply for domestic and fire suppression purposes. City Council approval is required whenever an Applicant is seeking to install and use recycled water to irrigate the landscaping.
18. On-site water mains, hydrants and adequate water flow and pressure shall be provided in conformance with standard City requirements. Unless waived by the Fire Chief, fire alarm and fire sprinkler systems shall be installed in all new resort structures.
19. All improvements, including water, sewer, storm drainage, parking lots, private paths, and/or public streets, shall be constructed to City standards.
20. All existing and new overhead utilities shall be placed underground.
21. Temporary construction noise levels in excess of 60 dBLdn shall be restricted to the daylight hours of 7am to 6pm. Noise levels shall be measured or monitored from site boundaries or the nearest adjoining residential use to determine compliance.

ENGINEERING SITE SPECIFIC CONDITIONS

22. Prior to issuance of certificates of occupancy for Phase 2, the applicant shall extend the 12-inch water main in Buena Vista Drive to the project's entrance in accordance with the City Water Master Plan.
23. All on-site sewer and water lines shall be privately maintained. Two connections to the City water system shall be made as indicated on the preliminary development plans.

EMERGENCY SERVICES

24. This project shall comply with all Paso Robles Fire Department standard conditions for Planned Developments and Conditional Use Permits as indicated in Exhibit A attached hereto.
25. All on-site roads shall meet Uniform Fire Code Specifications, as amended. These Specifications include the following: minimum road width shall be 24 feet, vertical clearance shall be 13 feet-6 inches, and all surfaces shall provide all weather driving capabilities and conform to the requirements contained in the Zoning Code.

26. A directory shall be placed at road entrances showing building locations and numbers.

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 ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY