

RESOLUTION NO.: 03-019

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
APPROVING AMENDMENT NO. 1 TO PLANNED DEVELOPMENT 95-009  
INCORPORATING AN ADJACENT COMMERCIAL RETAIL PROJECT AT THE SOUTHWEST  
CORNER OF THEATRE DRIVE AND GAHAN PLACE  
INTO THE OAK TREE PLAZA/TARGET CENTER  
(ELLIS PARTNERS, LLC)  
APN: 009-841-020, 023, AND 024

WHEREAS, Amendment No. 1 to Planned Development 95-009 has been filed by Mr. Stuart Rickard, Development Manager of Ellis Partners, LLC to incorporate an approximately 2.56-acre site at the southwest corner of Theatre Drive and Gahan Place into the Oak Tree Plaza/Target Regional Commercial Center; and

WHEREAS, Amendment No. 1 to Planned Development 95-009 would authorize construction of the remaining building square footage allocation approved with the original establishment of the Planned Development for the Oak Tree Plaza/Target Regional Commercial Center; and

WHEREAS, the design/architecture of the Commercial Retail Project under review would be consistent with the existing Oak Tree Plaza/Target Regional Commercial Center; and

WHEREAS, incorporation of the Commercial Retail Project into the Oak Tree Plaza/Target Regional Commercial Center would be a logical completion to the established development pattern; and

WHEREAS, the General Plan land use designation of the site is RC (Regional Commercial); and

WHEREAS, the site is zoned C2 PD (Highway Commercial – Planned Development); and

WHEREAS, in addition to the Planned Development Application, the Commercial Retail Project includes Conditional Use Permit 02-018 seeking approval for up to 5,450 square feet of walk up and sit down restaurants; and

WHEREAS, the Planning Commission held a duly noticed public hearing on March 11, 2003 to accept public testimony on the Commercial Retail Project, including Amendment No. 1 to Planned Development 95-009 and Conditional Use Permit 02-018; 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, the Initial Study incorporates by reference the Environmental Impact Report (EIR) for the Oak Tree Plaza/Target Center (SCH#95121016), which EIR authorizes up to 300,000 square feet of regionally-oriented commercial retail land uses; and

WHEREAS, the Oak Tree Plaza/Target Center EIR includes a Mitigation Monitoring Program, which Program addresses and mitigates impacts related to traffic and circulation, biology, drainage, noise, air quality, historical resources, and light and glare; and

WHEREAS, if approved, the Commercial Retail Project would be subject to the EIR Mitigation Monitoring Program and compliance with the Conditions of Approval for PD 95-009, as amended; and

WHEREAS, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed Commercial Retail 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 Commercial Retail Project will not be detrimental to the City's efforts to revitalize Downtown Paso Robles since the Project is part of an established regionally oriented commercial center serving highway travelers and the regional commercial market.
2. Amendment No. 1 to Planned Development 95-009 is consistent with the purpose, intent and regulations of Chapter 21.16A (Planned Development Overlay District Regulations) as follows:
  - A. The granting of the Amendment will not adversely affect the policies, spirit and intent of the General Plan, the Zoning Ordinance, and the policies and plans of the City. Rather, by incorporating the Commercial Retail Project into the Oak Tree Plaza/Target Regional Commercial Center, the Project implements the City's goals as expressed in its General Plan and its Economic Strategy to develop a freeway serving commercial retail center in this area of the City.
  - B. The Commercial Retail Project maintains and enhances the Oak Tree Plaza/Target Regional Commercial Center by completing the established development pattern with use of the same architecture, site amenities, lighting, and extensive landscaping.
  - C. The Commercial Retail Project is designed to be sensitive to, and blend in with, the character of the existing Regional Commercial Center and surrounding area. This has been accomplished through implementation of the Conditions applicable to the Oak Tree Plaza/Target Regional Commercial Center as set forth in Resolution No. 96-100 establishing Planned Development 95-009.
  - D. The design and the density of the Commercial Retail Project is consistent and compatible with the surrounding area development.
  - E. The Commercial Retail Project is consistent with the purpose and intent of the Planned Development District 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 Amendment No. 1 to Planned Development 95-009, subject to the following Conditions of Approval:

**STANDARD CONDITIONS:**

1. The Commercial Retail Project shall comply with all Conditions of Approval and Exhibits contained in Resolution No. 96-100 for the Oak Tree Plaza/Target Regional Commercial Center, unless such Conditions and/or Exhibits are expressly superseded or modified herein. Further, the

Commercial Retail Project shall comply with the EIR Mitigation Monitoring Program measures set forth in Resolution No. 96-99 for the Oak Tree Plaza/Target Regional Commercial Center EIR (Copies of these Resolutions are on file in the Community Development Department).

2. This Amendment No. 1 of Planned Development No. 95-009 authorizes the construction, maintenance, and operation of an approximately 16,540 square foot Commercial Retail Project at the northeast corner of the existing Oak Tree Plaza/Target Regional Commercial Center.
3. This Amendment No. 1 of Planned Development No. 95-009 transfers 16,540 square feet of the remaining unallocated square footage for the existing Oak Tree Plaza/Target Regional Commercial Center to the approximately 2.56-acre site (APNs 009-841-020, 023, & 024). With this transfer, the existing Oak Tree Plaza/Target Regional Commercial Center has 13,000 square feet of remaining building square footage (Pads H & G of the Overall Site Plan) to complete the Center. The existing development square footage within the Center is 266,714 square feet. With the addition of 16,540 square feet attributable to the new Commercial Retail Project and the 13,000 square feet attributable to Pads H & G of the Overall Site Plan, the Oak Tree Plaza/Target Regional Commercial Center square footage is 296,254.
4. The Conditions of Approval for the existing Oak Tree Plaza/Target Regional Commercial Center:
  - A. That are superseded herein this Resolution are the Exhibits showing the Overall Site Plan, the Project Specific Site Plans, Building Elevations, and Concept Landscape Plan, on file in the Community Development Department and incorporated herein by reference.
  - B. That are modified herein this Resolution are the Project Description and Conditions A1 and I2 on Attachment A of Resolution 96-100, as follows:
    1. PROJECT: PLANNED DEVELOPMENT 95-009 AND AMENDMENT NO. 1 THERETO
    2. CONDITION A1. This Project approval shall expire on March 11, 2005 unless a time extension request is filed with the Community Development Department prior to expiration.
    3. CONDITION I2. Building permits shall not be issued until the water system, including hydrants, has been tested and accepted and a based access road installed sufficient to support the City’s fire apparatus (HS-20 truck loading). The access road shall be kept clear to a minimum of 24-feet in width at all times and shall be extended to each lot and shall be maintained to provide all weather driving conditions.

**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.

5. The Commercial Retail 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 (the Exhibits are on file in the Community Development Department):

EXHIBIT	DESCRIPTION
A	Overall Site Plan
B	Project Specific Site Plans labeled Scheme 1 or Scheme 2
C	Building Elevations
D	Concept Landscape Plan

6. This Amendment No. 1 of Planned Development No 95-009, together with the EIR for the Oak Tree Plaza/Target Regional Commercial Center, establishes the conceptual framework for development of the Commercial Retail Project.
7. The Final Development Plan is subject to Development Review Committee review and approval prior to permit issuance. The Final Development Plan submittal is to be accompanied by submittal of the detailed plans of the building architecture, the colors, textures, materials, and finishes of the buildings, site amenities, and appurtenant facilities, the site landscaping and irrigation, the signage program, the precise grading and drainage, the site utilities plan, including utility undergrounding, and the street improvements/lane striping transition plan.
  - A. The Final Development Plan and the accompanying detailed plans are to be in substantial conformance with Exhibits A through D, which Exhibits have been incorporated into this Resolution as per Site Specific Condition No. 5.
  - B. 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 Oak Tree Plaza/Target Center as set forth in the Planned Development.
8. Theatre Drive shall be constructed in accordance with the plan line adopted for the Target Center PD 95-009. Offers of dedication of public right-of-way will be made to accommodate the required improvements if necessary. These lots will be annexed into the landscape and lighting district for the purposes of maintaining street lights.
9. Existing overhead utilities along Theatre Drive shall be relocated underground.

PASSED AND ADOPTED THIS 11<sup>th</sup> day of March, 2003 by the following Roll Call Vote:

AYES: FLYNN, WARNKE, FERRAVANTI, JOHNSON, STEINBECK, KEMPER

NOES:

ABSENT: CALLOWAY

ABSTAIN:

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CHAIRMAN RON JOHNSON

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY