

RESOLUTION NO.: 04-004
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE PLANNED DEVELOPMENT 91-010 – SUBSTANTIAL COMPLIANCE FOR
THE KOHL’S DEPARTMENT STORE
(Halferty Development Company)
APN: 009-814-011, 012, 013, and 014

WHEREAS, Planned Development PD 91-010, Request substantial compliance for the Kohl’s Department store has been filed by North Coast Engineering on behalf of the Halferty Development Company, for the development of a 88,000 square foot Kohl’s Department Store with 22,000 square feet of additional retail shops, located within the Woodland Plaza II Shopping Center; and

WHEREAS, condition No. 28 of Resolution 92-073 requires that prior to an issuance of a building permit, the Planning Commission shall approve detailed plans for site planning and architectural requirements for development of buildings within the shopping center; and

WHEREAS, the applicants are requesting to amend Condition No. 37 within Resolution 92-073, to increase the maximum height limit for buildings from 25 feet to 35 feet, which is consistent with the Zoning Code limitations; and

WHEREAS, a public hearing was conducted by the Planning Commission on February 10, 2004, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed 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

WHEREAS, by adopting the Negative Declaration for the project, the Planning Commission will make a finding that the proposed development will be substantially compliant with the Environmental Impact Report prepared for the shopping center; and

WHEREAS, based upon the facts and analysis presented in the staff reports, public testimony received and subject to the conditions of approval listed below, the Planning Commission makes the following findings:

1. 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 this permit will not adversely affect the policies, spirit and intent on the general plan, applicable specific plans, the zoning code, policies and plans of the City;
- b. The proposed project is designed to be sensitive to, and blend in with, the character of the site and surrounding area;
- c. The proposed project's design and density of developed portion of the site is compatible with surrounding development and does not create a disharmonious or disruptive element to the surrounding area;
- d. The development would be consistent with the purpose and intent of this chapter and would not be contrary to the public health, safety and welfare;
- e. The development substantially complies with intent of development within Woodland Plaza II as described in PD 91-010.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby approve Planned Development 91-010 subject to the following conditions:

STANDARD CONDITIONS:

1. 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>
A	Title Sheet
B	Preliminary Site Plan
C	Phasing Plan
D	Preliminary Grading and Drainage Plans
E	Preliminary Undergrounding Utility Plan
F	Preliminary Landscape Plan
G	Kohl's Exterior Elevations (East & South)
H	Kohl's Exterior Elevations (North & West)
I	North Shops Exterior Elevations
J-1, J-2, J-3	Perspective Views
K	Photo Simulation

2. Any site specific condition imposed by the Planning Commission in approving this project 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 approval of this project. 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 for this approval.

COMMUNITY DEVELOPMENT SITE SPECIFIC CONDITIONS:

3. The approval of Planned Development PD 91-010 would allow 88,000 square foot Kohl's Department Store with 22,000 square feet of additional retail shops, located within the Woodland Plaza II Shopping Center.
4. All conditions within Resolution 92-073 approving the original Planned Development PD 91-010 (Woodland Plaza II) shall remain in full effect, except for Condition No. 37 which shall be changed to 35 feet height limit rather than 25 feet.
5. Prior to the issuance of a Building Permit, the Development Review Committee shall review the following items:
 - a. Final landscape and irrigation plans;
 - b. Final building elevations, including any necessary roof equipment screening;
 - c. Details showing the wrap around of the architectural elements for the higher parapet over the entry of the building;
 - d. Trash enclosure location and details;
 - e. Exterior light fixture cut sheets;
 - f. Final privacy wall and bike path details.

ENGINEERING SITE SPECIFIC CONDITIONS

6. Prior to occupancy, the applicant shall construct pavement widening on Niblick Road to accommodate a right turn entry to the project in accordance with plans approved by the City Engineer. The pavement widening may extend from the beginning of the right turn pocket east to join the existing pavement widening in front of Kragen Auto parts. The

pavement width shall be as determined by the City Engineer. Sidewalk shall be constructed from the new entrance on Niblick Road to join the existing sidewalk in front of Kragen Auto Parts. The existing raised median in Niblick Road shall be extended westerly to preclude left turns from the project.

PASSED AND ADOPTED THIS 10th day of February 2004, by the following Roll Call Vote:

AYES: Mattke, Kemper, Steinbeck, Flynn, Johnson, Ferravanti

NOES: None

ABSENT: Hamon

ABSTAIN: None

CHAIRMAN TOM FLYNN

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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