

RESOLUTION NO.: 06-0073

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES APPROVING
PLANNED DEVELOPMENT 06-011
(NORTON BUILDING)

APN: 009-044-008

WHEREAS, Planned Development 06-011 has been filed by Ken Nagahara on behalf of Downtown Park Properties, LLC – Paul Norton, to construct a new 8,900 square foot three-story mixed-use building with basement; and

WHEREAS, the three story building would include a basement and first floor which would be used for retail, the second and third floor would be used for office space; and

WHEREAS, the project is located at 811 12th Street, building located just east of the Mastagni (Clock tower) building; and

WHEREAS, the General Plan land use designation of the site is Commercial Service (CS), and the Zoning is C1-PD (General Commercial, Office Professional Overlay); and

WHEREAS, the site is also located in the Mixed-Use Overlay district; and

WHEREAS, at its September 12, 2006 meeting, the Planning Commission held a duly noticed public hearing on the Project, to accept public testimony on the proposal including Planned Development 06-011 and related applications; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15332 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

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 Project will not be detrimental to the City's efforts to revitalize Downtown Paso Robles since the Project is consistent with the City's Economic Strategy, by providing investment into the downtown as well as providing retail and professional office space in the downtown.
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 Zoning Ordinance, and the policies and plans of the City. Rather, the PD for the 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 Project maintains and enhances the significant natural resources on the site. The building would encompass the entire lot consistent with the previous building.
- C. The Project is designed to be sensitive to, and blend in with, the character of the site and surrounding area, since it would meet the purpose and intent of the Downtown Design Guidelines.
- D. The Project is consistent with the purpose and intent of the Planned Development Chapter 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 06-011, subject to the following conditions:

PLANNING 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.

- 1. The 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
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- | | |
|---|------------------------------------------------------------------------|
| A | Title Sheet/Site Plan |
| B | Floor Plans |
| C | Floor Plans |
| D | Elevations/Sections |
| E | Color and Materials Board (on file in the Community Development Dept.) |

- 2. This Development Plan for PD 06-011, allows for development and operation of the 8,900 square foot three story building with basement, for retail/office uses (See Project Statistics on Project Title Sheet – Exhibit A).
- 3. This project approval shall expire on September 12, 2008 unless a time extension request is filed with the Community Development Department prior to expiration.
- 4. In conjunction with the submittal of the building plans, exterior light cut-sheets shall be provided for Staff review, to insure adequate shielding.
- 5. Prior to the issuance of a building permit, the applicant shall enter into an agreement with the City, in a form to be approved by the City Attorney, to pay an in-lieu fee per space for 12 spaces and to participate in other downtown parking financing programs. The amount of

the fee and the specifics regarding the other financing program components will be determined by the City Council. If the City Council determines the fee prior to the issuance of a building permit, the fees shall be paid prior to the issuance of the permit. Calculation of the in-lieu fee will consider any building square footage that was subject to demolition as a result of the December 2003 earthquake, and shall provide credit for any existing building square footage (i.e.: the in-lieu fee would apply only to incremental increases over pre-existing square footage).

6. Prior to the issuance of a building permit the building plans shall be reviewed by the Development Review Committee (DRC) to insure substantial compliance with the Planning Commission's approval of PD 05-019.
7. The applicant shall submit a sign program that shall be reviewed by the DRC. The applicant shall obtain required building permits for the signs prior to installation.
8. Prior to the issuance of a building permit, the applicant shall work with Planning Staff and Emergency Services Staff to develop an address plan for the project.
9. All roof mounted equipment shall be fully screened.
10. Prior to the issuance of a building permit, the applicant shall revise the material of the lower "kick-panels" adjacent to the sidewalk to a more durable material, rather than stucco. The material shall be reviewed by the DRC.

ENGINEERING SITE SPECIFIC CONDITIONS:

11. Prior to occupancy, the applicant shall construct street improvements on 12th Street in accordance with plans approved by the City Engineer.
12. Prior to occupancy, the applicant shall improve the alley along the north side of the project boundary. Alley improvements shall be constructed in accordance with City Standard A-17.

EMERGENCY SERVICES SITE SPECIFIC CONDITIONS:

13. Provide fire sprinkler systems for residential, commercial, and industrial buildings.
14. Prior to the start of construction, documentation shall be submitted to Emergency Services showing that required fire flows can be provided to meet all project demands.
15. Fire hydrants shall be installed at intervals as required by the Fire Chief and City Engineer. The maximum spacing for single family residential shall be 500 feet. The maximum spacing for multi-family and commercial/residential shall be 300 feet. On-site hydrants shall be placed as required by the Fire Chief.
16. 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 at all times and shall be extended to each lot and shall be maintained to provide all weather driving conditions.

17. No building shall be occupied until all improvements are completed and accepted by the City for maintenance.

18. Provisions shall be made to update Emergency Service's Run Book.

PASSED AND ADOPTED THIS 12th day of September, 2006 by the following Roll Call Vote:

AYES: Steinbeck, Holstine, Withers, Menath, Flynn, Johnson, Hamon

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN JOHN HAMON

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY