RESOLUTION NO.: <u>08-040</u>

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES APPROVING PLANNED DEVELOPMENT 08-009 (ROBITAILLE-HASTINGS)

APN: 009-093-036

WHEREAS, Planned Development 08-009 has been filed by Larry Gabriel on behalf of Suzanne Robitaille and Newlin Hastings, to construct a new 3,389 square foot two-story building, where a new restaurant would be located on the first floor, and one apartment unit would be located on the second floor; and

WHEREAS, the project is located at 608 12th Street; and

WHEREAS, the General Plan land use designation of the site is Community Commercial Mixed Use Overlay (MU), and the Zoning is C1-PD (General Commercial, Office Professional Overlay); and

WHEREAS, the proposed parcel map is Categorically Exempt from environmental review per Section 15332 (Class 32) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA); and

WHEREAS, at its August 26, 2008 meeting, the Planning Commission held a duly noticed public hearing on the Project, to accept public testimony on the proposal including Planned Development 08-009 and related applications; 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 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 new restaurant and residential uses in the downtown, consistent with the mixed-use overlay district.
- 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.
 - B. The Project maintains and enhances the significant natural resources on the site. This has been accomplished through the use of extensive landscaping, and establishment of enhanced architecture.

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- C. The Project is designed to be sensitive to, and blend in with, the character of the site and surrounding area.
- 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 08-009, subject to the following conditions:

PLANNING CONDITIONS:

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:

E^{λ}	KHIBIT	DESCRIPTION
A	1	Standard Conditions
E	3	Title Sheet
(Site Plan
Ι)	Floor Plans
E	3	Elevations
F	7	Color and Materials Board (on file in the Community Development Dept.)

- 2. This Development Plan for PD 08-009, allows for development and operation of the 3,389 square foot building consisting of a restaurant (or other commercial/retail uses allowed by the zoning code) on the first floor and one apartment unit on the second floor.
- 3. This project approval shall expire on <u>August 26, 2010</u> 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 pay in-lieu fees for 1 space at a rate established by Council Resolution. In-lieu fees are calculated and paid at the time of Building Permit issuance.
- 6. 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.
- 7. All roof mounted equipment shall be fully screened.
- 8. Any equipment such as fire sprinkler back flow devices shall be located inside of the building and not be visible. Verification of location of devices shall be shown on the construction drawings prior to the issuance of a building permit.

EMERGENCY SERVICES SITE SPECIFIC CONDITIONS:

9. Provide fire sprinkler systems for structures 5,000 square feet or greater.

- 10. 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.
- 11. 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.
- 12. 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.
- 13. No building shall be occupied until all improvements are completed and accepted by the City for maintenance.

ENGINEERING CONDITIONS

- 14. Prior to occupancy, the applicant shall complete 12th Street improvements in accordance with an approved schematic plan for decorative street lights and tree wells and at the direction of the City Engineer.
- 15. Prior to occupancy, the sewer main in 12th Street shall be extended to the west boundary of the project in accordance with plans approved by the City Engineer.
- 16. All utilities to the project shall be placed underground. Prior to occupancy, the applicant shall enter into an agreement not to protest the formation of an assessment district, or other financing plan, to relocate all utility lines in the block underground.

PASSED AND ADOPTED THIS 26th day of August, 2008 by the following Roll Call Vote:

AYES:	Peterson, Holstine, Treatch, Johnson, Hodgkin, Steinbeck
NOES:	None
ABSENT:	Flynn
ABSTAIN:	None
	CHAIRMAN ED STEINBECK
ATTEST:	
RON WHISE	ENAND, PLANNING COMMISSION SECRETARY

EXHBIT A OF RESOLUTION NO. <u>08-0040</u>

CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS FOR PLANNED DEVELOPMENTS / CONDITIONAL USE PERMITS

PROJECT #:	PD 08-009
APPROVING BODY:	PLANNING COMMISSION
DATE OF APPROVAL:	AUGUST 26, 2008
APPLICANT:	ROBITAILLE - HASTINGS
LOCATION:	608 12 TH STREET

The following conditions that have been checked are standard conditions of approval for the above referenced project. The checked conditions shall be complied with in their entirety before the project can be finalized, unless otherwise specifically indicated. In addition, there may be site specific conditions of approval that apply to this project in the resolution.

COMMUNITY DEVELOPMENT DEPARTMENT - The applicant shall contact the Community Development Department, (805) 237-3970, for compliance with the following conditions:

A. GENERAL CONDITIONS:

- 1. This project approval shall expire on <u>August 26, 2010 (See Planned Development Approval Resolution)</u> unless a time extension request is filed with the Community Development Department prior to expiration.
- Z. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 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.

- ☐ 5. This project is subject to the California Environmental Quality Act (CEQA) which requires the applicant submit a \$25.00 filing fee for the Notice of Determination payable to "County of San Luis Obispo". The fee should be submitted to the Community Development Department within 24 hours of project approval which is then forwarded to the San Luis Obispo County Clerk. Please note that the project may be subject to court challenge unless the required fee is paid.
- All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign.
- 8. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
- 9. All trash enclosures shall be constructed of decorative masonry block compatible with the main buildings. Gates shall be view obscuring and constructed of durable materials such as painted metal or chain link with plastic slatting.
- All existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans.
- All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans.
- All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and shall be subject to approval by the Community Development Director or his designee.

	13.	All existing and/or new landscaping shall be installed with automatic irrigation systems.
	14.	All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.
	15.	The following areas shall be placed in the Landscape and Lighting District:
		The developer shall install all improvements and landscape areas. City acceptance on behalf of the Landscape and Lighting District shall be subject to the approval of the Public Works Street Department (237-3864).
	16.	All parking lot landscape planters shall have a minimum outside dimension of six feet and shall be separated from parking and driving areas by a six inch high solid concrete curb.
	17.	The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:
\boxtimes	18.	It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.
В.		FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ANCE OF BUILDING PERMITS:
	1.	Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department prior to the issuance of building permits.

2.	Prior to the issuance of building permits, the ☐ Development Review Committee shall approve the following: ☐ Planning Division Staff shall approve the following:
	☐ a. A detailed site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
	 □ b. A detailed landscape plan; □ c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments; □ d. Other:
3.	The applicant shall meet with the City's Crime Prevention Officer prior to the issuance of building permits for recommendations on security measures to be incorporated into the design of the structures to be constructed. The applicant is encouraged to contact the Police Department at (805) 237-6464 prior to plan check submittal.
	FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO JPANCY:
1.	Occupancy of the facility shall not commence until such time as all Uniform Building Code and Uniform Fire Code regulations have been complied with. Prior
	to occupancy, plans shall be submitted to the Paso Robles Fire Department and the Building Division to show compliance. The building shall be inspected by the appropriate department prior to occupancy.
	3. THE OCCU

PUBLIC WORKS DEPARTMENT - The applicant shall contact the Engineering Division, $(805)\ 237-3860$, for compliance with the following conditions:

APPL	ICANT:	Robitaille PREPARED BY: JF	
REPRESENTATIVE: Gabriel CHECKED BY:			
PROJ	ECT:	PD 08-009 TO PLANNING:	
All conditions marked are applicable to the above referenced project for the phase indicated.			
D.	PRIOR TO ANY PLAN CHECK:		
\boxtimes	1.	The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.	
Е.	PRIO	R TO ISSUANCE OF A GRADING PERMIT:	
	1.	Prior to approval of a grading plan, the developer shall apply through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application.	
	2.	The proposed structures and grading shall not encroach into the 100-year floodway as specified in Municipal Code Chapter 21.14 "Flood Damage Prevention Regulations".	
	3.	Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to removal.	
	4.	A complete grading and drainage plan prepared by a registered civil engineer shall be included with the improvement plans. Drainage calculations shall be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer.	

		engineer for the property to determine the presence of expansive soils or other soils problems and shall make recommendations regarding grading of the proposed site.
F.	PRIO	R TO ANY SITE WORK:
	1.	All off-site public improvement plans shall be prepared by a registered civil engineer and shall be submitted to the City Engineer for review and approval. The improvements shall be designed and placed to the Public Works Department Standards and Specifications.
	2.	The applicant shall submit a composite utility plan signed as approved by a representative of each public utility, together with the improvement plans. The composite utility plan shall also be signed by the Water, Fire, Wastewater, and Street Division heads.
	3.	Any grading anticipated during the rainy season (October 15 to April 15) will require the approval of a Construction Zone Drainage and Erosion Control Plan to prevent damage to adjacent property. Appropriateness of areas shall be subject to City Engineer approval.
	4.	Any construction within an existing street shall require a Traffic Control Plan. The plan shall include any necessary detours, flagging, signing, or road closures requested. Said plan shall be prepared and signed by a registered civil or traffic engineer.
	5.	Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require a signature of approval by the Department of Public Works, Street Superintendent and the Community Development Department.
	6.	The owner shall offer to dedicate and improve the following street(s) to the standard indicated: 12 th Street (See City Engineer Site Specific Condition) Street Name City Standard Standard Drawing No.
	7.	The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:
		□ a. Public Utilities Easement;□ b. Water Line Easement;

A Preliminary Soils and/or Geology Report shall be prepared by a registered

5.

 \boxtimes

		 c. Sewer Facilities Easement; d. Landscape Easement; e. Storm Drain Easement.
G.	PRIO	R TO ISSUANCE OF A BUILDING PERMIT:
	1.	A final soils report shall be submitted to the City prior to the final inspection and shall certify that all grading was inspected and approved, and that all work has been done in accordance with the plans, preliminary report, and Chapter 70 of the Uniform Building Code.
	2.	The applicants civil and soils engineer shall submit a certification that the rough grading work has been completed in substantial conformance to the approved plans and permit.
	3.	When retaining walls are shown on the grading plan, said walls shall be completed before approval of the rough grade, and prior to issuance of any building permits, unless waived by the Building Official and the City Engineer.
	4.	All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.
	5.	Building permits shall not be issued until the water system has been completed and approved, and a based access road installed sufficient to support the City's fire trucks per Fire Department recommendation.
	6.	The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:
		 □ a. Street lights; □ b. Parkway and open space landscaping; □ c. Wall maintenance in conjunction with landscaping; □ d. Graffiti abatement; □ e. Maintenance of open space areas.
	7.	Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map (FIRM) - in zones A1-A30, AE, AO, AH, A, V1-V30, VE and V - the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.
	8.	Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map (FIRM) in zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer

shall provide a Flood Proofing Certificate in accordance with the National Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State California.

H. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

	1.	The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services and any outstanding annexation fees.
	2.	No buildings shall be occupied until all public improvements are completed and approved by the City Engineer, and accepted by the City Council.
	3.	All final property corners and street monuments shall be installed before acceptance of the public improvements.
	4.	All top soil removed shall be stockpiled and evenly distributed over the slopes and lots upon completion of rough grading to support hydroseeding and landscaping. All slope areas shall be protected against erosion by hydroseeding or landscaping.
	5.	The applicant shall install all street names, traffic signs and traffic striping as directed by the City Engineer.
	6.	If the adjoining existing City street is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall remove the entire roadway and replace it with a minimum full half-width street plus a 12' wide travel lane and 8' wide graded shoulder adequate to provide for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).
	7.	If the development includes a phased street construction along the project boundary for future completion by the adjacent property owner, the applicant shall provide a minimum half-width street plus a 12' wide travel lane and 4' wide graded shoulder adequate for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).
	8.	When the project fronts on an existing street, the applicant shall pave-out from the proposed curb to the edge of pavement if the existing pavement section is adequate, and shall feather the new paving out to the centerline for a smooth transition. If the existing pavement is inadequate, the roadway shall be replaced to centerline and the remaining pavement shall be overlaid. (A finding of "rough proportionality" has been made in the resolution for this condition).
\boxtimes	9.	Any utility trenching in existing streets shall be overlaid to restore a smooth riding

surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City streets.

- ☐ 11. Prior to paving any street the water and sewer systems shall successfully pass a pressure test. The sewer system shall also be tested by a means of a mandrel and video inspection with a copy of the video tape provided to the City. No paving shall occur until the City has reviewed and viewed the sewer video tape and has determined that the sewerline is acceptable. Any repair costs to the pipeline including trench paving restoration shall be at the developer's expense.
- 12. A blackline clear Mylar (0.4 MIL) copy and a blueline print of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. A reduced copy (i.e. 1" = 100') of the composite utility plan shall be provided to update the City's Atlas Map.
- All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.

PASO ROBLES FIRE DEPARTMENT - The applicant shall contact the Fire Department, (805) 237-3973, for compliance with the following conditions:

I. GENERAL CONDITIONS

1.	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.
2.	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.
3.	No buildings shall be occupied until all improvements are completed and accepted by the City for maintenance.
4.	If the development includes phased street construction, temporary turn-arounds shall be provided for streets that exceed 150 feet in length. The temporary turn around shall meet City requirements as set forth in the Public Works Department Standards and Specifications.
5.	All open space areas to be dedicated to the City shall be inspected by the Fire Department prior to acceptance. A report shall be submitted recommending action needed for debris, brush and weed removal and tree trimming. The developer shall clean out all debris, dead limbs and trash from areas to be recorded as open space prior to acceptance into a Benefit Maintenance District.
6.	Any open space included in a private development shall be subject to the approval of a vegetation management plan approved by the Fire Chief.
7.	Each tract or phase shall provide two sources of water and two points of access unless otherwise determined by the Fire Chief and Public Works Director.
8.	Provisions shall be made to update the Fire Department Run Book.

608 12th Street Paso Robles, CA 94336

608 12th Street

Paso Robles

* 16 (831) 659-0525 Fax (831) 659-0522 (832) E1 Caminto Road (832) E2 (833) E3-0522 (833) E3-0522 Larry Gabriel, Architect

JUL 28 2008

Planning Division

PROJECT DIRECTORY

NEWLIN HASTINGS
PACIFICA COMMERCIAL REALTY
SOA FIRST: STREET, SUITE A
PASO FOBLES. CA 93446
PH: (805) 237-4040
F.X. (805) 237-4041

LARRY GABRIEL.
LLARRY GABRIEL, ROCHTECT
302 EL CAMANTO ROOM
CAMANEL VAILE CA 83924
PH 831) 659-6525
EX. (831) 659-6522
CONSTRUCTION DOCUMENTS

ARCHITECT OF RECORD

BUILDING DATA

608 12TH STREET PASO ROBLES, CA 94336

A.P.N.: 009-093-036 SCOPE OF WORK

NEW 2-STORY BUILDING; RESTAURANT WITH AN OUT-JOOR DINING COURTYAND ON THE GROUND FLOOR, A TWO BEDROOM APARTMENT ON THE SECOND FLOOR AND A ROOF-TOP DECK.

608 12th Street 608 12th Street Paso Robles, CA 94336

BUILDING DATA

OCCUPANCY TYPE: B & R-3
CONSTRUCTION TYPE: V - N
NUMBER OF STORIES; 2 (+ROOF DECK)
SPRINKLERED: MA

REA ANALYSIS

LOT DIMENSIONS: 25' X 109' GROSS BUILDING AREA: 3,389.9

2,087 SF 731 SF 2,818 SF EXISTING BUILDING: FIRST FLOOR: SECOND FLOOR:

1,974.8 SF 1,415.1 SF 3,389.9 SF PROPOSED BUILDING: FIRST FLOOR: 1, SECOND FLOOR: 1,

OCCUPANT CALCULATION

DINING: 607.7 / 15 = 40.5 (~41) NON-PUBLIC AREAS: 1387.1 / 200 = 6.8 (~7) TOTAL OCCUPANT LOAD: 48

COVER SHEET

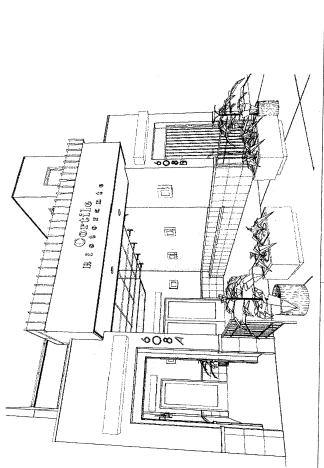
DRAWING INDEX

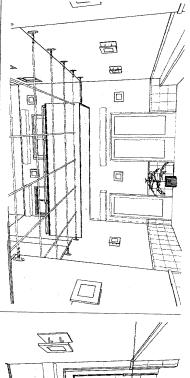
A-1 COVER SHEET
A-2 SITE PLAN & SPECIFICATIONS
A-3 FLOOR PLANS
A-1 CENTRAIS CONTINUE CONTINUE

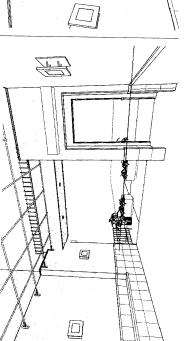
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(Robitialle-Hastings) PD 08-009 608 12th Street Title Sheet **Exhibit B**







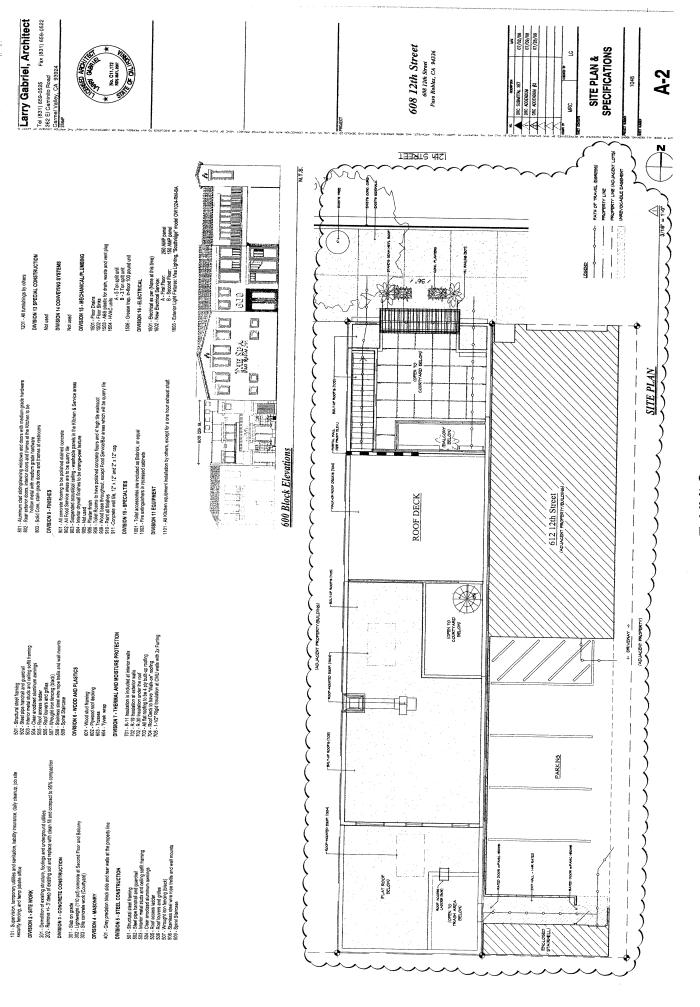
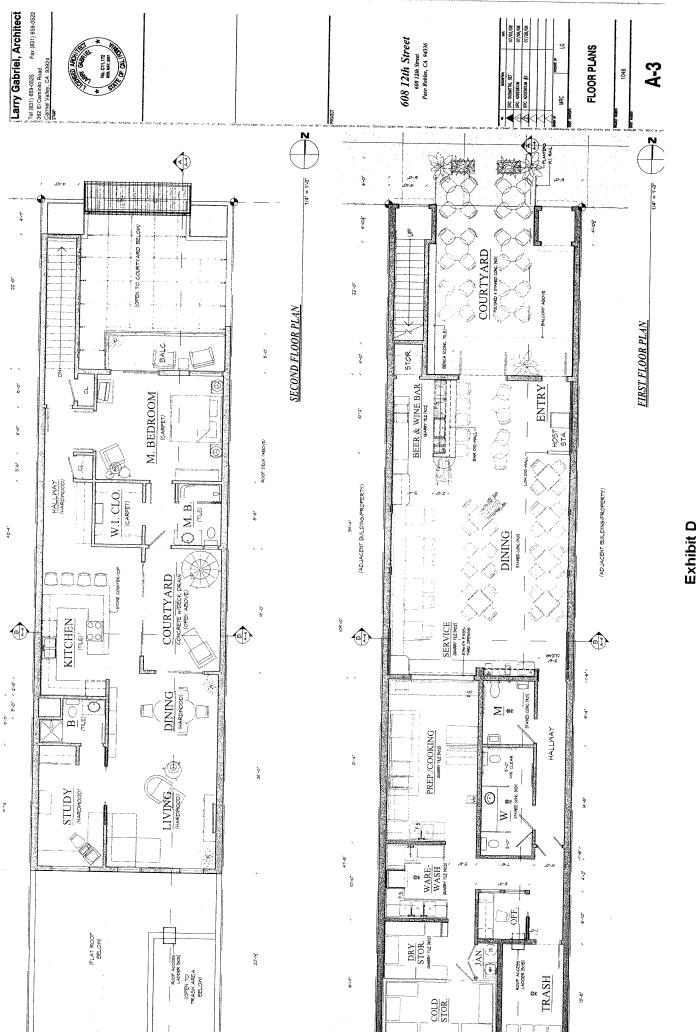


Exhibit C
Site Plan & Specs.
PD 08-009
608 12th Street
(Robitialle-Hastings)



FAIIDIL D Floor Plans PD 08-009 608 12th Street (Robitialle-Hastings)

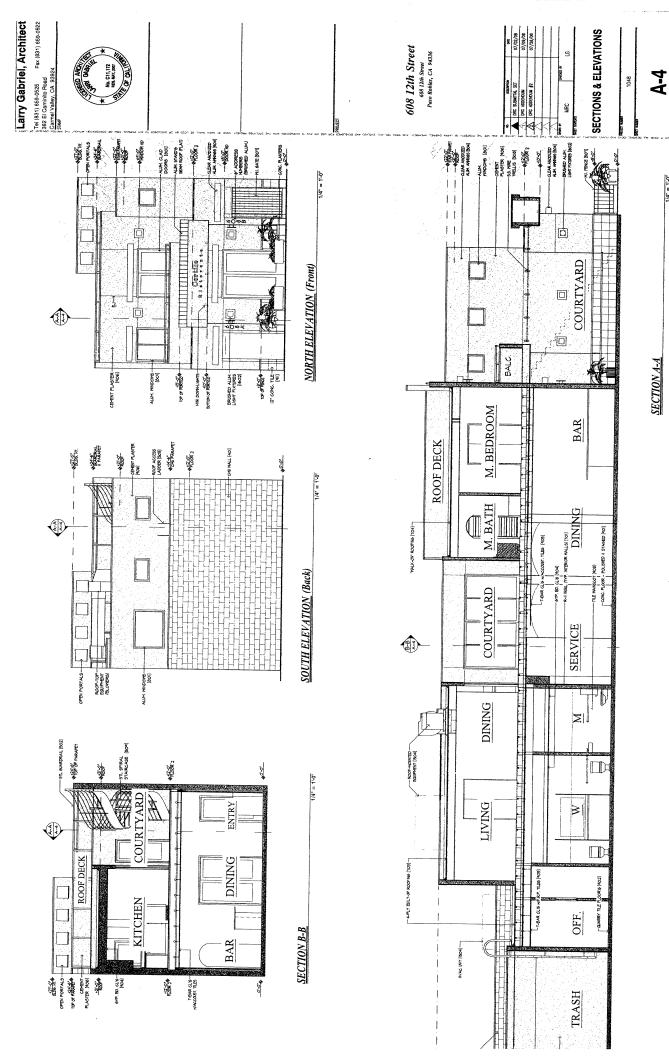


Exhibit E
Architectural Elevations
PD 08-009
608 12th Street
(Robitialle-Hastings)