

RESOLUTION NO. 03-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
UPHOLDING THE DECISION OF THE PLANNING COMMISSION TO APPROVE
AMENDMENT TO PLANNED DEVELOPMENT 97001
(ROSEMARIE VAN RIJN REPRESENTED BY VINCE LAVORGNA)
APN: 009-633-001, 2 AND 3

WHEREAS, Sections 21.23B.030 and 21.23B.040 of the Municipal Code of the City of El Paso de Robles allocates authority to the Planning Commission for approval of all development within a planned development (overlay) district, and to require both onsite and offsite improvements as necessary, and

WHEREAS, on March 10, 1997, the Planning Commission granted approval of PD 97001 for construction and establishment of a 15,000 square foot brewery and ancillary uses, located at 1400 Ramada Drive, subject to standard and site specific conditions of approval, and

WHEREAS, on June 12, 2002, Adam Firestone, on behalf of Firestone Walker Brewery submitted an application for Amendment to PD 97001, to construct a 6,000 square foot warehouse, and

WHEREAS, on November 12, 2002, the Planning Commission granted approval of the Amendment to PD 97001 for construction of a 6,000 square foot warehouse, subject to standard and site specific conditions of approval, and

WHEREAS, on November 15, 2002, Vince Lavorgna, on behalf of Rosemarie Van Rijn, filed an appeal of the Planning Commission's approval of the Amendment, and

WHEREAS, the appeal is of Site Specific Conditions of Approval No. 4 and No. 8 as written in Planning Commission Resolution 02-075, which conditions relate to wastewater pretreatment facilities, and

WHEREAS, Site Specific Condition of Approval No. 4 is necessary to ensure adequate area is reserved for installation of potential wastewater pretreatment facilities with capacity to serve the brewery facility's needs, and

WHEREAS, Site Specific Condition of Approval No. 8 is necessary to ensure installation of any potential wastewater pretreatment facilities is reviewed by the Public Works Department for technical requirements with follow up review by the Development Review Committee for design elements, and

WHEREAS, the City Council conducted a public hearing on January 7, 2003, to open the matter of the appeal for public hearing and to consider the facts as presented in the staff report, and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received, the City Council finds:

1. The decision of the Planning Commission granting approval of Amendment to Planned Development 97001 is consistent with the General Plan and the Municipal Code of the City of El Paso de Robles, and
2. Site Specific Condition of Approval No. 4 as written in Planning Commission Resolution 02 -075 is necessary to ensure that the brewery facility has sufficient area to mitigate any potential impacts to the City's wastewater system through onsite wastewater pretreatment facilities.

3. Site Specific Condition of Approval No. 8 as written in Planning Commission Resolution 02-075 is necessary to ensure that any proposed facilities undergo technical and design review by the Public Works Department and the Development Review Committee prior to installation to ensure technical adequacy of any proposed facilities and adequacy of design elements to lessen the impacts to neighboring properties.
4. Site Specific Conditions of Approval No. 4 and 8 are consistent with the purpose and intent of PD 97001 and necessary for protection of the public health and safety.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles:

SECTION 1: The City Council hereby upholds the decision of the Planning Commission granting approval to Amendment to PD 97001 and affirms the necessity of Site Specific Conditions No. 4 and No. 8 as written in Planning Commission Resolution 02-075.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 7th day of January 2003 by the following vote:

AYES:	Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES:	None
ABSTAIN:	None
ABSENT:	None

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk