

RESOLUTION NO.: 03-068

A RESOLUTION OF  
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES,  
APPROVING PLANNED DEVELOPMENT 03-008 FOR  
THE STABLES A MIXED USE COMMERCIAL/OFFICE CENTER  
(MW ARCHITECTS FOR MR. ROBERT GILSON, PROPERTY OWNER)

APN: 009-104-013 & -014

WHEREAS, Planned Development 03-008 has been filed by Michael Peachy , Architect with MW Architects on behalf of Mr. Robert Gilson, property-owner; and

WHEREAS, Planned Development 03-008 is a proposal to establish a two story (35 foot high) Mixed Use Commercial/Office Center containing approximately 7,745 square feet of leasable space and an additional 2,930 square feet devoted to garages;

WHEREAS, the Mixed Use Commercial/Office Center (“The Stables”) is designed to conform to the design and development guidelines and standards of the Zoning Ordinance and the Downtown Design Guidelines; and

WHEREAS, the General Plan land use designation of the site is CC (Community Commercial) and it is located in the C3 PD (Commercial/Light Industry, Planned Development); and

WHEREAS, at its September 9, 2003 meeting, the Planning Commission held a duly noticed public hearing on the Mixed Use Commercial/Office Center Project, to accept public testimony on the Planned Development application, PD 03-008 and environmental review thereof; 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, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed Mixed Use Commercial/Office Center 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 Mixed Use Commercial/Office Center Project will not be detrimental to the City’s efforts to revitalize Downtown Paso Robles since the Center caters to the tourists and provides professional office space in the Downtown consistent with the City’s Economic Strategy, General Plan, and Zoning.
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 City’s Economic Strategy, the General Plan, the Zoning Ordinance, and the

Downtown Design Guidelines. Rather, the PD for the Mixed Use Commercial/Office Center Project implements the City’s goals as expressed in its Economic Strategy and its General Plan to “continue to revitalize Downtown Paso Robles as a commercial/entertainment center that accommodates a Government Center (e.g. Public Safety Center, County Courts, etc...), caters to the tourists, and provides professional office space.”

- B. The Mixed Use Commercial/Office Center is “Country Spanish” with a mission style finish and a stone veneer base (reminiscent of the local stone found in Paso Robles) with rustic barn garage doors. The garages are located off the alleys along the northern and western property lines. The building design and site layout are in compliance with the Downtown Design Guidelines.
- C. The Mixed Use Commercial/Office Center is designed to be sensitive to, and blend in with, the character of the site and surrounding area. This has been accomplished through retention of the oak trees, creation of a pedestrian courtyard and other public spaces, and use of enhanced architecture.
- D. The design of the Mixed Use Commercial/Office Center is different yet complementary with the surrounding development. The Project will not be disharmonious or disruptive to the surrounding area.
- E. The Mixed Use Commercial/Office Center is consistent with the purpose and intent of the Economic Strategy, the General Plan, the Zoning Ordinance, and the Downtown Design Guidelines; and, it is not contrary to the public health, safety and welfare.
- F. The commercial and office professional activities proposed for the Center are appropriate in scale and character for its location in Downtown Paso Robles.
- G. The site planning and architectural character of the Center is of an appropriate scale for the Downtown. The Center’s height, width, setback, proportions of openings, horizontal rhythms, roof shapes, materials, colors, sidewalk coverings, and parking areas are consistent with the Downtown Design Guidelines.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 03-008, subject to the following conditions:

**STANDARD CONDITIONS:**

- 1. The Mixed Use Commercial/Office Center Project shall comply with the checked standard Conditions of Approval, attached hereto as Exhibit “A” and incorporated herein by reference.

**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.

- 2. The Mixed Use Commercial/Office Center 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
A	Standard Conditions of Approval
B	Preliminary Site Plan Grading and Drainage (Sheet DP2)
C	1 <sup>st</sup> Floor Plan (Sheet DP3)
D	2 <sup>nd</sup> Floor Plan (Sheet DP4)
E	Exterior Elevations (Sheet DP 5)
F	Site/Building Section (Sheet DP6)
G	Schematic Landscape Plan (Sheet DP 7)
H	Colors & Materials Board

3. This PD 03-008, together with the Downtown Design Guidelines, establishes the conceptual framework for development of the Mixed Use Commercial/Office Center.
4. This PD 03-008 allows for development and operation of the retail and professional office uses on the project site.
5. Prior to issuance building and/or grading permits (whichever occurs first), a Final Development Plan for the Mixed Use Commercial/Office Center shall be filed with the City for Development Review Committee review and approval (which Plan is to be in substantial compliance with this Planned Development).
  - A. The Final Development Plan is to include an on-site monitoring program for the 10 native oak trees on the project site, as well as the Arborist's requirements for acceptable pavers for use in the critical root zone areas. This program is to be implemented during grading and construction of the Center. It is to incorporate the requirements of the City's Oak Tree Preservation Ordinance and those of the Arborist into the Site and Improvement Plans so as to ensure that they will be properly implemented. Further, the actions to be taken on an on-going basis so as to ensure that the trees remain healthy are to be recorded against the property.

The project site contains 10 native oak trees that could be impacted from the proposed project if the impacts not properly avoided and/or mitigated. The Arborist's Report by Jack Brazeal, Registered Consulting Arborist #377 includes an assessment/evaluation of each tree identifying the species, size age, condition, appraised value, aesthetic quality, contributing life expectancy, potential impacts from development, and estimated life expectancy of each tree, and providing mitigation measures recommended to avoid and/or minimize the effect of development on the health of the trees. The measures include: soil conditioning within the critical root zone (CRZ), tree protection fencing at the CRZ, no fill or grading to be allowed if it would alter the natural drainage, no use of toxic chemicals with the dripline of any existing trees or dumped/spilled in an area where it may leach into the root zone area of any existing tree.

- B. The Final Development Plan submittal is also to be accompanied by submittal of the detailed plans of: 1) the site and its improvements, 2) the building architecture, 2) the colors, textures, materials, and finishes of the buildings, site amenities, and appurtenant facilities, 3) the site landscaping and irrigation, 4) the signage program, 5) the precise grading and drainage, 6) the water system, 7) the sewer system, and 8) the street improvements. Further, the site plan shall incorporate the recommendations of the Arborist Report prepared for this project.
- C. The Final Development Plan submittal is to clearly show that none of doors or gates will open onto the public right-of-way.

- D. The Final Development Plan submittal is to include information from the solid waste hauler that the location, size, and screening of the trash enclosure can be serviced by them or alternatives are to be provided for concurrent review/approval.
  - E. The Final Development Plan and the accompanying detailed plans are to be in substantial conformance with Exhibits A through H, which Exhibits have been incorporated into this Resolution as per Site Specific Condition No. 2.
  - F. 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 Downtown Design Guidelines and the Project's architectural "Country Spanish" theme with mission style finish and a stone veneer base (reminiscent of the local stone found in Paso Robles) with rustic barn garage doors (see Exhibits A through H).
6. This PD 03-008 is valid for a period of two (2) years from approval. Unless permits have been issued and site work has begun, the approval of PD 03-008 shall expire on September 9, 2005. The Planning Commission may extend this expiration date for an additional three (3) years if a complete time extension application has been filed with the City along with the fees before the September 9, 2005 expiration.
  7. Prior to issuance of certificates of use and occupancy, the property-owner or authorized agent is required to pay the City's Development Impact Fees.
  8. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
  9. All improvements, including water, sewer, storm drainage, parking lots, private paths, and/or public streets, shall be constructed to City standards.
  10. All existing and new overhead utilities shall be placed underground.
  11. Temporary construction noise levels in excess of 60 dBLdn shall be restricted to the daylight hours of 7am to 6pm. Noise levels shall be measured or monitored from site boundaries or the nearest adjoining residential use to determine compliance.
  12. Grading activities, facility construction, and site improvements shall be performed in compliance with the requirements of the Air Pollution Control District so as to minimize creation of fugitive dust and other emission resulting from use of construction equipment.
  13. Use and operation of the Mixed Use Commercial/Office Center and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).
  14. Prior to the issuance of certificates of use and occupancy, the City and the applicant shall conduct a lighting level review in the field in order to make any necessary adjustments to ensure that the illumination levels are appropriate, that the light sources are properly shielded and directed downward where appropriate, that all security lighting is fully shielded and directed at the building (rather than directed out from the building), that no blister packs have been installed on the building exterior, and

that no direct glare has been created, and that any sky-reflected glare from the building has been controlled by reasonable means as are practical to the end that said sky-reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs.

#### **ENGINEERING SITE SPECIFIC CONDITIONS**

15. Prior to issuance of certificates of use and occupancy, the applicant shall reconstruct any broken or deficient curb, gutter and sidewalk on Pine Street adjacent to the frontage of the project, as requested by the City Engineer.
16. Prior to issuance of certificates of use and occupancy, the applicant shall improve the alley along the north side of the project from Park Street to Pine Street and the alley along the west side of the project adjacent to it's frontage, or another financing alternative subject to City Engineer review/approval may be established to apportion the responsibilities for all the public improvements installed within the alley, including water service, sewer service, paving, and under-grounding of utilities among all those who derive a benefit from the public improvements.. The alley improvements shall be constructed in accordance with City Standard A-17 with the alley approaches at Pine Street and Park Street to be constructed in accordance with City Standard B-6.
17. Prior to issuance of certificates of use and occupancy, the applicant shall relocate all utility lines in the alleys adjacent to the project underground.

#### **PLANNING COMMISSION SITE SPECIFIC CONDITION (OAK TREE PRESERVATION)**

18. The Final Development Plan that is filed with the City for Development Review Committee review/approval prior to issuance of any permits involving site construction shall include the following oak tree preservation requirements:

A precise mapping of the critical root zone of the off-site 48-inch diameter at breast height (dba) valley oak tree on the property to the south as so referenced in the letter received from Irv & Coralie McMillan on September 9<sup>th</sup> (a copy of this letter and the Arborist's response is on file in the Community Development Department);

An addendum to the Arborist Report reviewing the findings/recommendations/monitoring provisions to be put into effect during construction activity to avoid impacts to this tree (including construction fencing); and

A written statement from the property-owner of record that the construction activities and on-site monitoring will include implementation of the oak tree preservation mitigation requirements set forth

in the City's Oak Tree Preservation Ordinance as may be further strengthened by the Arborist of Record in his Report.

PASSED AND ADOPTED THIS 9<sup>th</sup> day of September, 2003 by the following Roll Call Vote:

AYES: Calloway, Ferravanti, Flynn, Kemper, Steinbeck, and Warnke

NOES: None

ABSENT: Johnson

ABSTAIN: None

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VICE CHAIRMAN NICK FERRAVANTI

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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