

RESOLUTION NO.: 03-095

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES,  
APPROVING CONDITIONAL USE PERMIT 03-015 FOR A MULTI-TENANT RETAIL CENTER  
AT 250 GAHAN PLACE (BELMONT/BECKHAM/HASTINGS)  
APN: 009-831-009

WHEREAS, Planned Development 03-002 has been filed by S. Keith Belmont, Project Manager for Belmont/Beckham/Hastings (Property-Owners) to construct an approximately 12,750 square foot, multi-tenant retail center; and

WHEREAS, in conjunction with Planned Development 03-002, Conditional Use Permit 03-015 has been filed, seeking authorization to operate a multi-tenant retail center in the C2 PD (Highway Commercial, Planned Development) Zoning District; and

WHEREAS, the approximately 1.1-acre project site is located at 250 Gahan Place, generally west of the intersection of Theater Drive and Gahan Place; and

WHEREAS, the General Plan Land Use Designation of this site is Regional Commercial (RC) and it is in the Highway Commercial, Planned Development Overlay Zoning District (C2, PD); and

WHEREAS, the Planned Development would establish the site plan, development standards, architectural theme, landscaping, and required infrastructure for the site; and

WHEREAS, the Conditional Use Permit would allow for operation of the multi-tenant retail center if found not to have a significant adverse effect on the economic vitality of Downtown Paso Robles; and

WHEREAS, an Initial Study was prepared for this project (and is on file in the Community Development Department) which concludes and proposes that a Mitigated Negative Declaration and a Mitigation Monitoring Program be adopted; and

WHEREAS, at its December 9, 2003 meeting, the Planning Commission held a duly noticed public hearing on the proposed multi-tenant retail center at 250 Gahan Place, to accept public testimony on the Planned Development, Conditional Use Permit and environmental review therefor; and

WHEREAS, the General Plan Land Use Designation of this site is Regional Commercial (RC) and it is in the Highway Commercial, Planned Development Overlay Zoning District (C2, PD); and

WHEREAS, the Planned Development would establish the site plan, development standards, architectural theme, landscaping, and required infrastructure for the site; and

WHEREAS, the Conditional Use Permit would allow for operation of a restaurant if found not to have a significant adverse effect on the economic vitality of Downtown Paso Robles; and

WHEREAS, at its December 9, 2003 meeting, the Planning Commission held a duly noticed public hearing on this multi-tenant retail center project, to accept public testimony on the proposal, including the Planned Development, Conditional Use Permit, and environmental review therefor; and

WHEREAS, based upon the facts and analysis presented, and public testimony received, the Planning Commission finds, subject to the conditions of approval set forth herein this Resolution, that:

1. The establishment, maintenance and operation of a multi-tenant retail center at 250 Gahan Place, will not, under the circumstances of this particular case, be detrimental to the health, safety, morals, comfort,

convenience and general welfare of persons residing or working in the neighborhood, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

2. The multi-tenant retail center will not have a significant adverse impact on the economic vitality of the downtown, based on the following:
  - (a) Development and operation of a retail center on this site is consistent with the City's Economic Strategy; and
  - (b) Development and operation of a retail center on this site takes advantage of accessibility to, and visibility from, Highway 101 and Highway 46 West; and
  - (c) The retail center will capture spillover sales from the adjacent Target Center regional shopping facilities, thereby improving the City's market share of shoppers within the north county region.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 03-015 subject to the following site-specific conditions:

1. The project shall comply with all conditions of approval in the resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the proposed restaurant and in the resolution granting approval to Planned Development 03-002 and its exhibits.
2. Approval of this Conditional Use Permit shall run concurrently with the Planned Development approval, and shall expire under the same conditions of that entitlement (2 years, with additional one year time extension increments to be considered). However, once the project/site development is complete, the CUP will be vested and will run indefinitely as per the Zoning Ordinance (unless revoked by the City).
3. All on-site operations shall be in conformance with the City's performance standards contained in Section 21.21.040 (General Performance Standards Applicable to All Uses) of the Zoning Ordinance.
4. 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.

PASSED AND ADOPTED THIS 9<sup>th</sup> day of December, 2003 by the following roll call vote:

AYES: Flynn, Warnke, Ferravanti, Johnson, Steinbeck, Kemper  
NOES: None  
ABSENT: Calloway  
ABSTAIN: None

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CHAIRMAN RON JOHNSON

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY