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RESOLUTION 23 -XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES APPROVING APPEAL FOR PLANNED DEVELOPMENT 20-16, TENTATIVE TRACT MAP 3191 2701 GERMAINE WAY, APNs 025-424-001 thru 008, AND FINDING THAT SAID ACTION IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CEQA GUIDELINES SECTION 15332, IN-FILL DEVELOPMENT PROJECTS (CLASS 32)

WHEREAS, the Thorndyke project is located at 2701 Germaine Way, on the northwest corner of Wisteria Lane and Germaine Way; and

WHEREAS, Pamela Jardini of Planning Solutions on behalf of Brian Thorndyke submitted an application for Planned Development (PD) 20-16, a request for approval to subdivide an existing 2.68 acre lot into six lots (rather than the 8 currently approved lots) and approve a master development plan to allow for the 42,000 SF construction of light industrial buildings on each lot within the existing Golden Hill Business Park (the "Project"); and

WHEREAS, as part of the project application, the applicant has provided a set of Master PD Guidelines that outlines the proposed development of the project (see Exhibit O of Draft Resolution A), and

WHEREAS, the General Plan land use designation is Business Park (BP) and the zoning designation is Planned Industrial (PM) zoning district. Industrial (e.g., electrical manufacturing and processing, wineries, and metal fabrication) and warehousing uses (with accessory offices) are permitted in the PM and consistent with the BP General Plan land use designations; and

WHEREAS, the Golden Hills Business Park was established with Tract 2269. The lots within the business park are improved with curb, gutter and sidewalk and served with sewer, water, and other dry utilities. Additionally, the lots within the business park were graded at the time of the installation of the tract improvements; and

WHEREAS, in September of 2006 the Planning Commission approved Resolution 06-076 approving a Development Plan and Resolution 06-077 approving Tract 2839 subdividing the site into eight lots of the construction of eight light industrial/manufacturing buildings. While the subdivision was recorded creating the eight lots, no development has accrued on the lots; and

WHEREAS, Tentative Tract 3191 would re-subdivide the existing eight lots into six lots to accommodate the six buildings. PD 20-16 establishes a master development plan over the six lots that provides conceptual site planning, building architecture, landscaping, and other details for the development of six buildings on the six parcels; and

WHEREAS, conditions of approval have been included in the attached draft resolution A for the PD that would require each building for lots 2-6 to go back to the Development Review Committee (DRC) for approval of the site planning and building architecture; and

WHEREAS, in conjunction with PD 20-16, Mr. Thorndyke has provided site planning and architectural details for a 6,900sf building for Lot 1. It is intended for this building to be constructed first, and to be followed by the development of the remaining 5 lots; and

WHEREAS, the 2.6 acre site is undeveloped, but is currently improved with frontage improvements and utility stub outs; and

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WHEREAS, on February 14, 2023, the Planning Commission on a 6-0 vote (1 abstention) approved Resolution PC 23-006 that approved the project with a requirement that (a) the development review site plan approval process for Lots 2-6 be reviewed by the Planning Commission, and (b) that accessory outdoor storage yards be located behind the buildings, rather than in the side yard areas; and

WHEREAS, on February 17, 2023, Pamela Jardini of Planning Solutions, on behalf of Mr. Thorndyke, submitted a letter requesting an appeal of the Planning Commission's decision to impose the two conditions of approval identified above and further described in the attachments to this Resolution; and

WHEREAS, pursuant to section 21067 of the Public Resources Code, and section 15367 of the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the City of Paso Robles is the lead agency for the project; and

WHEREAS, based upon its review of the entire record before it, including the information and analysis contained in the Staff Report prepared for the Project and testimony received as a result of the public notice, the Planning Commission finds that pursuant to CEQA and the CEQA Guidelines, City staff has considered the potential environmental impacts of the Project. Based on that review, the Planning Commission hereby finds that the entire Project is categorically exempt from further review under CEQA per CEQA Guidelines Section 15332, In-Fill Development Projects (Class 32).

WHEREAS, a public hearing was conducted by the City Council on March 21, 2023 to consider facts as presented in the staff report prepared for this project, and to accept public testimony on the Planned Development and Tentative Tract Map; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Based on the entire record before the City Council, all written and oral evidence presented to the City Council, and the findings set forth in this Resolution, the City Council approves Planned Development 20-016 as depicted in Exhibits "C-O" and Tentative Tract 3191 as depicted in Exhibit "L", subject to the conditions of approval in Exhibits A and B.

SECTION 2. Pursuant to California Government Code Section 66410 *et seq.*, the Paso Robles Municipal Code, and based on the entire record before the Planning Commission and all written and oral evidence presented to the City Council, the City Council finds as follows:

1. Development Plan Findings

A. The design and intensity (density) of the proposed development plan is consistent with the goals and policies established by the General Plan and the zoning code, particularly the purpose and intent of the zoning district in which a development project is located, because the project would provide for additional industrial and warehouse uses within an existing industrial business park.

B. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City, since this project would be developed within an existing business park that has been previously entitled for the type of development proposed with this project.

C. The proposed development plan accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors; and the public right-of-way by developing the properties within the existing business park utilizing high quality architecture and design.

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D. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts.

E. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, stream courses, oak trees, vistas, and historic buildings and structures because the project will be constructed on previously graded flat building pads consistent with the other lots in the business park.

F. The proposed development plan contributes to the orderly development of the city as a whole by providing a well-designed project that is suitable for the location where it is proposed and surrounding land uses including commercial and light industrial uses.

2. Tentative Tract Map Findings

A. The proposed subdivision is designed, to the extent feasible, to provide for passive or natural heating or cooling opportunities because the project has been designed in a manner that allows for 6 lots for light-industrial and warehousing type uses in an existing business park setting. All buildings will be required to meet the energy efficiency requirements of the California Building Codes for light industrial and warehouse type buildings.

B. The proposed subdivision and the provisions for its design and improvement are consistent with the general plan for the City of El Paso de Robles ("General Plan"), because:

1. The Tentative Tract/Parcel Map provides for land uses compatible with the Business Park (BP) land use classification for the Subject Site in the General Plan, and the provisions for design and improvements promote the goals and objectives of the General Plan for the following reasons, since it provides for the development of a vacant infill lot in an existing business park and will provide 6 new industrial/warehouse buildings with accessory offices is consistent with the land use and zoning designations of the properties and would complement the existing industrial/warehouse uses within the business park. Additionally, the proposed project is the type of development anticipated with the development of the Golden Hills Business Park and is supported by the City's Economic Strategy and Tech Corridor.

2. The Tentative Tract/Parcel Map provides for land uses compatible with the Planned Industrial (PM) zoning district for the Subject Site in the Zoning Code, and the provisions for design and improvements comply with the implementation policies and objectives of the Zoning Code, since light-industrial and warehouse type uses are permitted uses in the PM zoning district.

C. The Subject Site is physically suitable for the type and density of development proposed in the Tentative Tract/Parcel Map because the project meets the minimum lot size for the PM zoning district, complies with the required setbacks to property line, and meets the minimum access road requirements.

D. The subdivision design and improvements proposed in the Tentative Tract/Parcel Map are not likely to cause substantial environmental damage nor substantially injure fish or wildlife or their habitat because no development will occur in any significant habitat of a rare or endangered species of plant, animal, or insect or any fragile or unique biotic community.

E. The subdivision design and type of improvements proposed in the Tentative Tract/Parcel Map are not likely to cause serious public health problems because all development and public improvements will be performed per the requirements of all applicable standards and codes, including the zoning and building codes.

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- F. The subdivision design and type of improvements proposed in the Tentative Tract/Parcel Map will not conflict with easements acquired by the public at large for access through or use of the Subject Site because no such easements exist.
- G. The discharge of waste into an existing sewer system from development proposed in the Tentative Tract/Parcel Map will not cause a violation of existing requirements prescribed by the local water quality control board because all buildings within the subdivision will be required to hook up to the existing public sewer system that exists in the streets adjacent to this project.

SECTION 3. Pursuant to section 66412.3 of the Government Code, based on the entire record before the Planning Commission and all written and oral evidence presented to the City Council, the City Council finds the subdivision and improvements proposed in the Tentative Tract/Parcel Map help the City of El Paso de Robles meet its regional housing needs because this project is not a residential project, however it will provide for light industrial and warehouse type uses which could create jobs for the community.

SECTION 4. Based on the entire record before the City Council and all written and oral evidence presented to the City Council, the City Council finds the nature and extent of the dedications, reservations, impact fees, and other exactions are reasonably related to public needs and roughly proportional to the impacts created by the subdivision and improvements proposed in the Tentative Tract Map because they are necessary to ensure that each property can be developed in a manner to stand alone from the lots in the subdivision.

SECTION 5. As the decision-making body for the City, and in the City's role as lead agency under CEQA for the Project, the Planning Commission finds that the entire Project is categorically exempt from CEQA review, pursuant to CEQA Guidelines, Section 15332, In-Fill Development Projects (Class 32).

The entire Project is exempt per Section 15332 because the Project meets the required conditions for Class 32. The Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designations and regulations outlined in the City's General Plan. The Project occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. Specifically, the Project is located at the northwest corner of Wisteria Lane and Germaine Way in the City of Paso Robles, consists of 2.6 acres, and is located within the Golden Hill Business Park surrounded by commercial and light industrial uses. The Project site has no value, as habitat for endangered, rare, or threatened species because the Project site has been previously graded with tract improvements for Tract 2269 and includes frontage improvements. Therefore, the disturbed site is not habitat for endangered, rare, or threatened species.

Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Analysis has been conducted to ensure the Project does not result in any significant effects relating to traffic, noise, air quality, and water quality, since the project will be located on an existing lot within an existing business park and the proposed uses are permitted uses within the PM zoning district.

Further, none of the exceptions to the categorical exemptions identified in CEQA Guidelines Section 15300.2 apply. Based on the entire record, there is nothing unusual about the Project site or the Project itself that would lead to a potentially significant impact. And, even if an unusual circumstance did exist (one does not), based on the entire record, there is no reasonable possibility that the Project would have a significant impact on the environment. The Project site is already previously disturbed with grading and frontage improvements, and is surrounded by similar commercial and light industrial uses. Further, the Project will not result in damage to scenic resources within a highway officially designated as a state scenic highway; the closest officially designated state highway is approximately .5 mile away and therefore the Project will not result in damage to scenic resources within or near such highway. Further, the Project is not located on a site which is included on any list compiled pursuant to Government Code Section 65962.5; the Project site has not been designated as a hazardous waste site. Further, the Project will not cause a substantial adverse change in the significance of a

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historic resource as there are no historic resources within the vicinity of the Project. Thus, the Class 32 categorical exemption applies.

City Council hereby directs City staff to prepare, execute and file with the County Clerk a notice of exemption within five (5) working days of approval of this Resolution.

SECTION 6. Planned Development 20-16 and Tentative Tract 3191 is approved, subject to the following:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Site-Specific Conditions
B	Standard Conditions of Approval
C	Cover Sheet
D	Overall Site Plan
E	Site Plan – Lot 1
F	Landscape Plan
G	Plant List
H	Fence Plan
I	Floor Plan
J	Elevations
K	ISO Elevations
L	Grading and Drainage Plan (Lots 1-6)
M	Drainage Plan – storm water calcs
N	Tentative Tract Map 3191 – Sheet 1
O	Tentative Tract Map 3191 – Sheet 2
P	Master Design Guide

APPROVED this 21st day of March, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Steven W. Martin, Mayor

Melissa Boyer, City Clerk

Attachments

A - N Project Exhibits