

TO: JAMES L. APP, CITY MANAGER

FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: GENERAL PLAN AMENDMENT 12-001, REZONE 12-001, PD 12-001, CUP 12-003, TENTATIVE PARCEL MAP PR 12-0004, BORKEY SPECIFIC PLAN AMENDMENT 12-001, WAIVER 12-001, STREET ABANDONMENT 12-001 (AYRES PASO ROBLES, LTD.)

DATE: JULY 17, 2012

Needs: To consider applications filed by Doug Ayres, on behalf of Ayres Paso Robles, Ltd., to consider the development of a 225 room Resort Hotel, with a wellness spa, conference room, restaurant, extended-stay units (included with the 225 rooms proposed), wine tasting/retail boutique, and ancillary parking, landscaping, gardens, orchards and vineyards (See Project Description, Attachment 2).

Facts:

1. The 20 acre site is located at the northeast corner of Buena Vista Drive and Experimental Station Road. (see Attachment 1, Vicinity Map).
2. The site has a General Plan Land Use designation of Residential Multi-Family, 8 units per acre (RMF-8). The Zoning designation is Residential Multi-Family, duplex/triplex (R2).
3. The site is located within Sub Area D of the Borkey Area Specific Plan.
4. The project entitlements needed to establish the project include the following:

General Plan Amendment: to change the existing RMF-8 (Residential Multi-Family, 8-units per acre) to Parks and Open Space (POS) with a Resort Lodging Overlay (R/L) land use designation;

Rezone: to change the existing R2 (Residential Multi-Family duplex/triplex) zoning designation to Parks and Open Space (POS) with a Resort Lodging Overlay (R/L) zoning;

Specific Plan Amendment: to amend the Borkey Area Specific Plan to allow for the project which introduces a different land use than that originally approved by the plan, and to establish updated Specific Plan fees;

Development Plan: development plan to review the project site planning, architectural design and details, mixture of land uses, and landscaping;

Conditional Use Permit: to allow for resort hotels in the POS zoning district, and to exceed the applicable height limitations;

Tentative Parcel Map: requested by the applicant to create separate parcels for the wine tasting retail building and the wellness center from the resort hotel parcel;

Waiver: if the request to amend the Borkey Area Specific Plan, to approve a new street standard for Experimental Station Road to allow a 20-foot paved width without the installation of a sidewalk is approved, then there is no need to process the Waiver request. If the Amendment is not approved, then the applicant is requesting that the waive the requirement to install a sidewalk on Experimental Station Road.

Street Abandonment: request to abandon an unused portion of Experimental Station Road, at its intersection with Buena Vista Drive.

5. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study and Mitigated Negative Declaration was prepared and circulated for public review and comment. Based on the information and analysis contained in the Initial Study (and comments and responses thereto), a determination has been made that potentially significant environmental impacts can be mitigated to a less than significant level, and that with implementation of mitigation measures that the Ayres Resort project may qualify for issuance of a Mitigated Negative Declaration (MND).
6. The proposed mitigation measures are related to biological resources, air quality, greenhouse gas emissions, and traffic impacts. Mitigation measures have been incorporated into the attached Resolution recommending approval of the project to the City Council.
7. Since the development will involve a General Plan Amendment, Specific Plan Amendment and Rezone, it was required that the Planning Commission review the project and make recommendations to the Council. On June 26, 2012, the Planning Commission reviewed the project along with the associated Mitigated Negative Declaration.
8. Many of the residents that live east of the project on Experimental Station Road, spoke at the meeting and requested that a sidewalk be required for the Ayres project frontage on Experimental Station Road (See Attached Letter from Pete Johnston et al, Attachment 3)

9. The Planning Commission unanimously recommended that the City Council approve the following:
- a. The Mitigated Negative Declaration, the General Plan Amendment, the Parcel Map, and the Street Abandonment applications;
 - b. The Borkey Area Specific Plan Amendment and the Rezone applications. The Specific Plan Amendment will include a new street section for Experimental Station Road that provides for a paved with of 20 feet, except the section between the proposed service driveway and Buena Vista Drive, which shall be up to 24 feet in paved width if topography so allows. The Planning Commission recommendation did not include installation of a sidewalk Experimental Station Road;
 - c. The Planned Development and Conditional Use Permit applications with the following revisions to the conditions:
 1. Condition #1 to be modified to state that the proposed tower may be 70 feet tall only if the hotel building has three stories. If only two stories are proposed, the tower design must return to the Development Review Committee for approval.
 2. Condition #11 to be modified to state that extension of a bike and pedestrian path along Buena Vista Drive between the site and Dallons Drive will only be required if the City executes a reimbursement agreement or development agreement under which the applicant will be reimbursed for doing such work beyond his property;
 3. Condition #15 to be modified as recommended by the applicant, which will read as follows:

The project shall be served by City water including the ten acres of orchard and vineyard. In the event that additional sources of water become available in the future that are appropriate and approved by the City Council, those sources may be substituted for the municipal water. The orchard and vineyard shall be irrigated with recycled water provided by the City when available providing that the recycled water is of a quality legally suitable for the irrigation of organics crops to be consumed by humans.

Analysis and

Conclusion: The main topic of discussion at the Planning Commission hearing related to conditions #11 (street improvements in Buena Vista Drive) and #15 (connection to City water), as described above.

Condition #11 (Buena Vista Drive Improvements)

Condition #11 originally read: "Prior to occupancy of Phase 1, Buena Vista Drive shall be improved with curb, gutter, sidewalk, and bikeway along the frontage of the project. The sidewalk and bikeway shall be extended to Dallons Drive. All improvements shall be constructed in accordance with plans approved by the City Engineer."

At the request of the applicant, the Planning Commission recommended that the condition be revised to read as follows: "Prior to occupancy of Phase 1, Buena Vista Drive shall be improved with curb, gutter, sidewalk, and bikeway along the frontage of the project. The sidewalk and bikeway shall be extended to Dallons Drive only if the City executes a reimbursement agreement or development agreement under which the applicant will be reimbursed for doing such work beyond his property. All improvements shall be constructed in accordance with plans approved by the City Engineer."

The reason to consider requiring extension of street improvements beyond the boundaries of the site to Dallons Drive, a distance of about 380 feet, was to implement Circulation Element policies and actions that call for completing pedestrian and bicycle systems where there are gaps, as part of the element's overall goal to reduce vehicle miles traveled. Those policies are listed in Attachment 4. Section 21.23B.050 of the Zoning Code requires that development plans be found to be in conformance with General Plan policies.

The applicant *may be*, but is not guaranteed to be, eligible for reimbursement of costs to extend street improvements beyond the site in the following circumstances:

- a. If the AB 1600 fee schedule is updated to include street improvements in front of Cuesta College property, as has been proposed in the draft updated fee schedule, and if said fee schedule update is adopted prior to completion of construction of the hotel, the applicant would be eligible for reimbursement of all costs to extend improvements beyond the boundaries of the site.
- b. Per Environmental Mitigation Condition GHG-1, included in the resolution to approve the development plan, the applicant may be required to pay Greenhouse Gas (GHG) Mitigation Fees. Should such fees be required, the City could seek the Air Pollution Control District's approval to apply those fees to the cost of said

improvements, as they help reduce vehicle miles traveled and GHG emissions from vehicles.

To maintain eligibility for reimbursement from AB 1600 funds, the improvements beyond the site boundary should include curb, gutter, sidewalk, and paving (to match existing pavement). It is estimated that the cost of such improvements, as an extension of those street improvements to be constructed in front of the site (rather than as a stand-alone project), is about \$15,000. For the sake of comparison, the applicant has requested approval of a street section along Experimental Station Road that would not include a sidewalk, as would otherwise be required under the existing street section. The estimated cost of that sidewalk, considering the need for considerable grading, would have been about \$80,000, and that work would not be eligible for reimbursement under AB 1600.

An alternative condition #11 to that recommended by the Planning Commission that could better support Circulation Element policies would read as follows:

“Prior to occupancy of the hotel, Buena Vista Drive shall be improved with curb, gutter, sidewalk, paving to match existing paving, and striping for a Class II bikeway from Experimental Station Road to Dallons Drive. Improvements between the northern boundary of the site and Dallons Drive may be eligible for reimbursement from the City’s Transportation Impact Fee, if the AB 1600 fee schedule is updated to include such improvements prior to completion of construction of the hotel, and/or from any Greenhouse Gas Mitigation Fees that may be imposed per Environmental Mitigation Condition GHG-1. All improvements shall be constructed in accordance with plans approved by the City Engineer.”

The resolution to approve the PD and CUP (Attachment #6) will show the Planning Commission’s recommendation as “option a” and the above alternative as “option b”.

Condition #15 (City Water Requirements)

Condition #15 originally read: “The project shall be served by City water including the ten acres of orchard and vineyard. The orchard and vineyard shall be irrigated with recycled water provided by the City when available.”

The applicant requested, and the Planning Commission recommended that Condition #15 be revised to read: “The project shall be served by City water including the ten acres of orchard and vineyard. In the event that additional sources of water become available in the future that are appropriate and approved by the City Council, those sources may be substituted for the municipal water. The orchard and vineyard shall be irrigated with recycled water provided by the City when available providing that

the recycled water is of a quality legally suitable for the irrigation of organics crops to be consumed by humans."

Regarding the "additional sources of water", the City's Urban Water Management Plan provides that only surface water may be used as a future source of water. Presently, Nacimiento Water is the only source of surface water. The Planning Commission was satisfied that having City Council approval of any additional sources of water would protect the City's interests.

The intent of the applicant's interest in alternative water sources is the option of private well use. The intent of Condition No. 15 as originally presented to the Planning Commission was to preclude private well use. The fundamental policy of the Urban Water Management Plan is that all new development shall be served by Nacimiento Water. It is essential that we maintain a policy of stewardship and protection of the groundwater basin, and therefore it is suggested that the Council approve Condition No. 15 as originally written.

Policy

Reference: General Plan Land Use and Circulation Elements, Zoning Code, and 2006 Economic Strategy.

Fiscal

Impact: There are no specific fiscal impacts associated with approval of this Planned Development.

Options:

After consideration of all public testimony, that the City Council may choose the following options:

- a.
 - 1. Adopt a Resolution approving a Mitigated Negative Declaration for the project;
 - 2. Adopt a Resolution adopting GPA 12-001;
 - 3. Adopt the attached Ordinance amending the Borkey Area Specific Plan and Rezone 12-001; to include a 20-foot paved section for Experimental Station Road, without sidewalks (this would negate the need to consider a street waiver);
 - 4. Adopt a Resolution adopting PD 12-001 & CUP 12-001, allowing for the development of the hotel resort project in the POS and to allow the building height of 70-feet, subject to site specific and standard conditions of approval **and selection of an option for Condition #11 as follows:**

- (a) As recommended by the Planning Commission (underlined text is addition to original condition):

"Prior to occupancy of Phase 1, Buena Vista Drive shall be improved with curb, gutter, sidewalk, and bikeway along the frontage of the project. The sidewalk and bikeway shall be extended to Dallons Drive only if the City executes a reimbursement agreement or development agreement under which the applicant will be reimbursed for doing such work beyond his property. All improvements shall be constructed in accordance with plans approved by the City Engineer."

- (b) Original Condition presented to Planning Commission with added language by Staff:

"Prior to occupancy of the hotel, Buena Vista Drive shall be improved with curb, gutter, sidewalk, paving to match existing paving, and striping for a Class II bikeway from Experimental Station Road to Dallons Drive. Improvements between the northern boundary of the site and Dallons Drive may be eligible for reimbursement from the City's Transportation Impact Fee, if the AB 1600 fee schedule is updated to include such improvements prior to completion of construction of the hotel, and/or from any Greenhouse Gas Mitigation Fees that may be imposed per Environmental Mitigation Condition GHG-1. All improvements shall be constructed in accordance with plans approved by the City Engineer."

and selection of an option for Condition #15 as follows:

- (a) As recommended by the Planning Commission (underlined text is addition to original condition):

"The project shall be served by City water including the ten acres of orchard and vineyard. In the event that additional sources of water become available in the future that are appropriate and approved by the City Council, those sources may be substituted for the municipal water. The orchard and vineyard shall be irrigated with recycled water provided by the City when available providing that the recycled water is of a quality legally suitable for the irrigation of organics crops to be consumed by humans."

(b) Original Condition presented to the Planning Commission:

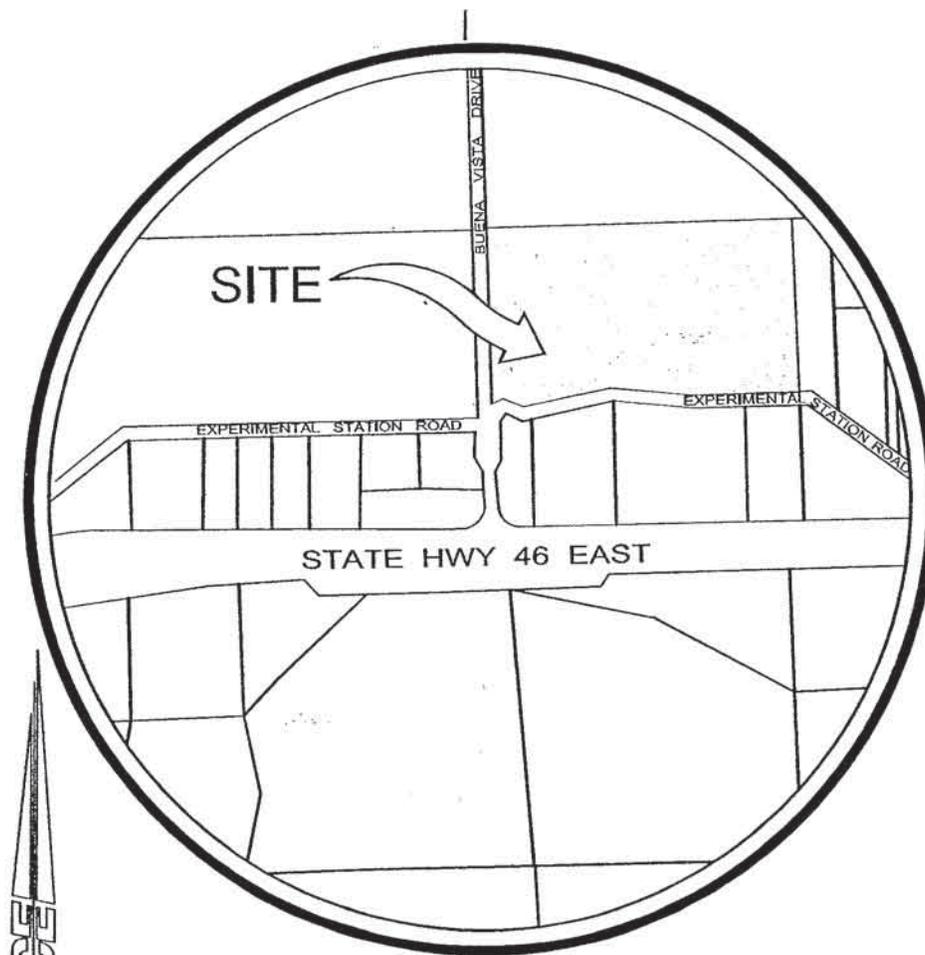
“The project shall be served by City water including the ten acres of orchard and vineyard. The orchard and vineyard shall be irrigated with recycled water provided by the City when available.”

5. Adopt a Resolution adopting Tentative Parcel Map PR 12-004, subject to site specific and standard conditions of approval;
6. Approve abandonment of unused portion of Experimental Station Road;
or

b. Amend, modify or reject the foregoing option.

Attachments:

1. Vicinity Map
2. Pete Johnston Letter (and e-mail)
3. Circulation Element Policies and Actions
4. Resolution approving the adoption of a Mitigated Negative Declaration
5. Resolution approving the GPA
6. Resolution approving the Specific Plan Amendment & Rezone
7. Resolution approving of the PD, CUP
8. Resolution approving a Tentative Parcel Map
9. Resolution approving the Street Abandonment
10. Newspaper and Mail Notice Affidavits



LOCATION MAP

NO SCALE



AYRES HOTELS

Ayres Resort & Spa - Paso Robles

Introduction and Background

The Ayres family name is well known in Southern California for a long history of home building, commercial, and hotel development and management. The family tradition began in 1905 when Frank Ayres with his wife and young son Donald moved to California from Ohio. He gained a reputation as a quality home builder throughout Southern California. In the 1920's Southern California was roaring with the rise of Hollywood. The demand for quality homes was great and Frank's son Don joined with his father to meet the demand. In the post war 1950's Don Sr.'s son, Don Jr., joined the family business establishing the third generation in business together. In 1980 Don Jr. developed the concept of a boutique style hotel after a trip to Europe. The family opened their first hotel in 1984. The Ayres family now owns and manages 20 hotels under the Ayres brand.

All of Ayres Hotels are widely recognized for their value, quality and comfortable atmospheres. The unique ambience and luxury draws guests to this growing family of hotels. From European boutique elegance to local touches, each has a personality and charm that is distinctly Ayres. Inviting lobbies adorned with beautiful fireplaces, meticulously selected antiques and classic art works are just a few of the special touches that can be found at the Ayres Hotels.

Project Description

Ayres Resort & Spa – Paso Robles will be a self contained destination resort combining a quality hotel, spa, wellness center, restaurant, wine tasting, conference facilities, specialty commercial and extended stay accommodations to provide high quality and complimentary amenities to visitors to Paso Robles as well as local residents. The Ayres Resort & Spa - Paso Robles is being crafted to reflect the pastoral nature and history of Paso Robles in a quiet rural agricultural environment surrounded by vineyards, olive groves and naturalist landscaping with buildings that will grace the natural landforms. The project philosophy is one of health and sustainability in design and construction, as well as in operations.

Hotel – The Ayres hotel will be two stories, with a three story alternative, in Tuscan style with a spacious courtyard. The location of the hotel building on the property is based on the vertical and horizontal characteristics of the existing landforms. One might note that the hotel building is not parallel to the property lines as a more typical approach might take, but is rotated to

harmonize with the shape and energy characteristics of the land. The land will gently rise to the hotel and the existing knoll behind the hotel will be preserved and planted with vineyards and olive orchards allowing the building to blend pleasingly with the terrain.

The first phase will include 129 guest rooms and suites, with an additional 40 rooms in a future phase. Potentially both phases will be constructed at one time for a total of 169 rooms. Complimenting the guest rooms, the Ayres Resort will offer a fine dining restaurant with a bar and lounge, and a spa with private treatment rooms. Both the restaurant and the spa will also be available to local residents. The first phase will provide approximately 5,000 sf of conference and meeting facilities in the interior of the hotel and opportunities for less formal meeting and gathering areas in the courtyard and gardens. The hotel will be furnished with authentic European furnishings consistent with the style of Ayres Hotels. The grounds will include a pool, spa, bocce ball courts, vineyards, olive orchards, and a variety of classic meditation gardens.

Villa Accommodations – The Villa accommodations consists of 20 rooms separate from the main hotel to serve as accommodations for guests attending events where families and friends can stay to attend events such as weddings, family reunions or other gatherings. It could also serve business clients with common interests.

Extended Stay Accommodations - Comprised of five two-story buildings housing thirty-six private units, the extended stay accommodations will include spacious living and sleeping areas, and kitchens. The extended stay accommodations will provide opportunities to address a clear demand for visitors to our area that desire an extended stay in an environment more like a home or apartment making the experience of doing business in Paso Robles more relaxing and comfortable.

Landscape and Agriculture – The gardens will be one of the highlights of the Ayres Resort & Spa – Paso Robles. The first resort of its type in Paso Robles, the hotel will be nestled within vineyards and orchards. This privacy provides clients and guests an experience unique to Paso Robles wine country. In addition to vineyards and an olive orchard, a variety of herb, flower and vegetable gardens will abound. Meditation gardens will be featured, consistent with the tranquility found in the rest of the project. The visitor's experience will be immersion in a California native and Mediterranean landscape reflecting the ecology of Paso Robles and Tuscan agrarian styles.

Agricultural Operations – Due to the size of the parcel and the limited needs of the actual development footprint, there are approximately 10 acres of land that will be utilized for agricultural purposes. The acreage of the vineyards and the olive orchards make the potential for agricultural production realistic. The vineyards will be planted with varieties that have a low water demand and maintained in a manner harmonious with the resort.

Wine Tasting and Visitor Commercial – A wine tasting and retail boutique is planned for a future phase of the project. The approximate size of the space required is 5,000 sf. This adds another dimension to visitor benefits and serves the character of the project by allowing people visiting the hotel and others visiting the area to enjoy the wine tasting experience and shopping opportunities for local crafts and products as well as wine, and olive oil products grown on the property.

Wellness Center - In a future phase, a wellness center of approximately 5,000 sf will be developed which features holistic and energetic therapy. This feature will appeal not only to guests of the hotel, but provides quality services to other visitors and residents of the area.

Project Design Approach

The design of Ayres Resort and Spa-Paso Robles is a collaborative effort of local engineers, architects and landscape architects working closely with Doug Ayres. North Coast Engineering combined forces with Landscape Architect David Foote of Firma and Architect Steve Puglisi to bring the vision of the Ayres family into focus for a quality experience for visitors to Paso Robles as well as locals.

The following principles were incorporated into the preliminary design:

- Develop a resort community sensitive to the existing landforms.
- Provide a mixture of accommodations, culinary opportunities, wellness and health opportunities, and conference facilities in a rural setting.
- Implementation of environmental responsibility using low impact development techniques such as energy efficiency, water use reduction, sustainable materials and other means where possible. This project will pursue the SLO Green Build Certificate of Recognition.
- Surround the resort and supporting buildings with vineyards and olive groves to accent the Paso Robles agricultural and viticultural themes and promote the Purple Belt Program. As part of the vineyard development, Ayers will coordinate with the Central Coast Vineyard Team to incorporate sustainable practices in the vineyard operations.
- Work with Cuesta College to provide both viticultural and hospitality educational opportunities

Low Impact Design

Low Impact Design (LID) principles and practices have been incorporated into the planning and design of the project. The primary goals of LID are to maintain the existing hydrologic function of the site and the water quality of runoff leaving the site by reducing impervious surfaces, preserving existing vegetation, promoting ground water recharge and employing bioretention. The LID measures for the project were designed using the interim design criteria from the *Low*

Impact Development (LID) for Storm Water Control: Interim Design Guidance for New and Redevelopment Projects, which were developed by a joint effort sponsored by Region 3 municipalities, including the City of Paso Robles, and the Central Coast Regional Water Quality Control Board (RWQCB). The primary design criterion of the interim guidelines is to retain and infiltrate runoff from the 85th percentile storm.

The primary LID features employed on the project are as follows:

- Bioretention swales and rain gardens are employed throughout the site, particularly in the parking lot medians. These vegetated areas retain approximately 6" of runoff before discharging to the storm drain system; they improve water quality and reduce runoff through bioretention and infiltration. The parking lots were designed with guidance from the City of Paso Robles *LID parking Lots Low Impact Development Technical Assistance Memo*.
- Impervious surfaces are disconnected from the storm drain system by directing runoff from paving and roof down spouts to vegetated areas. Runoff is then conveyed to the storm water ponds by sheet flow or in bioswales instead of in storm drain pipes as much as possible. This allows for water treatment and runoff reduction through bioretention and infiltration.
- Three 2-foot deep storm water ponds will be used on the site to mitigate both the 85th percentile storm and the 100-year runoff requirements. These vegetated ponds will be hybrid retention / infiltration ponds that will employ stepped outlet structures to retain the 85th percentile runoff to a depth of 6 inches. During larger storm events runoff will be metered through the outlet structures at the pre-developed rate.

Existing Property Description

The 20 acre property is located on Buena Vista Drive on the intersection of Experimental Station Road and Buena Vista Drive just north of La Quinta Inn. Cuesta College North County Campus is located directly north of the property and existing office buildings and future neighborhood commercial is located west of the property. The properties to the east are low density residential. The property is generally flat with two hillocks near the center of the property. There is no significant vegetation on the property aside from 2 small oak trees. There is a natural drainage area in the southwest corner of the property which drains into an adjacent creek. The project is fronted by Buena Vista Drive, identified as a two lane divided arterial and will serve as the project main entrance.

In 2004 the property was rezoned with a Resort Overlay. The City Council approved a Resort/Residential project for an 80 room resort hotel, Parisian Bakery, conference rooms, culinary school, spa, retail shops, caretaker housing and 17 single family homes on half acre lots. The project was never constructed.

In 2007 the property was rezoned to Residential Multi-Family with a proposed project consisting of 129 residential units. The Resort Overlay was removed from the property.

The current zoning is R2-PD Residential Multi-Family 9 units to the acre. Based on the average slope-based calculation method in the Paso Robles Zoning code, the property would be allowed 136 residential units. The property is within the Borkey Specific Plan area.

Market Demand

Ayres Hotels has closely examined the existing demand for hotel rooms in the Paso Robles area. We believe a full service hotel with meeting rooms can be absorbed into the market.

Community Financial Benefits

Short term benefits: Ayres Hotels has its own General Contracting division: Ayres Group. Ayres Group intends to utilize local contractors in the area for the new construction portion of the project. Typically, a new hotel provides between 300-400 workers with employment during construction.

Long term benefits: Ayres Hotels anticipates providing approximately 30-40 permanent jobs upon opening, which will offer opportunities for local residents.

The main measurable economic benefit for the City of Paso Robles will be derived from Transient Occupancy Tax and Sales tax generated from sales at the restaurant, spa and retail boutique. It is anticipated that the tax revenue in the first year is \$458,000 increasing to an estimated \$724,000 by the fifth year. In addition to the direct benefit to the City's General Fund, the spinoff economic benefits from visitors are considerable. Visitors will visit restaurants, purchase food, buy gasoline, shop in the downtown and spend money on local services and product.

Pete Johnston Letter

Ms Susan DeCarli, AICP
Planning Manager,
City of El Paso de Robles
California, 93446

Re: Ayers Resort Hotel Project

Dear Ms DeCarli:

Thank you for your time and input last week relative to the above project. It certainly appears to be a quality addition to the Community and a well thought out and well planned use of the acreage.

As Mr. John Falkenstien, City Engineer stated at that time, the undersigned feel it is imperative that Experimental Station Rd be improved, with curbs and sidewalks, from Buena Vista Drive to at least the western edge of the Moe property line where it meets the subject property.

Although I/we are not able to attend the June 26th meeting, this is an issue that we are raising so that it may be made a condition of approval.

Thank you very much. Should you have any questions please call me at 441-7100.

Sincerely,

Pete and Jocelyn Johnston,
1815 Experimental Station Rd
1817 Experimental Station Rd

Derek and Sonjia Baer
1711 Experimental Station Rd

Marilyn Moe
1631 Experimental Station Rd

Attachment 3
Pete Johnston Letter & e-mail
PD 12-001 et al
(Ayers, Ltd.)

Darren Nash

From: Susan DeCarli
Sent: Tuesday, June 26, 2012 1:27 PM
To: Pete Johnston
Cc: John Falkenstien; Ed Gallagher; Darren Nash
Subject: RE: Ayers Project

Pete, I'll forward these comments to the Commission as well.
Susan

From: Pete Johnston [<mailto:petejohnston@petejohnstontowing.com>]
Sent: Tuesday, June 26, 2012 12:47 PM
To: Susan DeCarli
Subject: Ayers Project

Hi Susan

I really wish I could be there tonight, but I cant.

In speaking with my wife and other neighbors this morning, the fact that many children on the street are coming of age to begin walking or riding their bikes to school obviously using Experimental Station Rd, which is obviously a residential street. That brings up the subject of service vehicles accessing the Hotel using a proposed service entry off Experimental Station. This would entail more than just vendors to the Hotel, and would include those individuals servicing the substantial planted areas.

In short in the interest of safety, we are recquesting that no service entrance be situated off Experimental Station, but instead off the more suitable Dallons Rd entrance.

Thank you very much.

Pete Johnston

Attachment 4
Circulation Element Policies and Actions

POLICY CE-1A: Circulation Master Plan. Revise/update the City's Circulation Master Plan to address the mobility needs of all users of the streets, roads and highways including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors as follows:

- d. Establish safe pedestrian and bicycle paths, for children and their parents to schools and other major destinations such as downtown, retail and job centers;
- e. Maintain mobility for all modes by encouraging flexible and off-set working hours; transit improvements; pedestrian and bikeway improvements; and public outreach as to the availability and benefit of alternative modes of travel;
- f. Require new development to mitigate its impact on the transportation network.

Action Item 2. Set conditions of approval of development applications to provide access for all modes of travel and to make appropriate improvements to the transportation system serving subject sites including frontage improvements and all improvements needed to mitigate transportation impacts.

POLICY CE-1B: Reduce Vehicle Miles Traveled (VMT). The City shall strive to reduce VMT generated per household per weekday by making efficient use of existing transportation facilities and by providing direct routes for pedestrians and bicyclists through the implementation of sustainable planning principles.

Action Item 1. New developments or redeveloped areas shall conform to the following guidelines to the maximum extent possible:

- Circulation systems shall provide for all modes of travel, and shall typically include sidewalks, bicycle lanes, and transit stop amenities. Continuous paths of travel shall be established and connected for walking and bicycling from and throughout the development area to downtown and other key destinations. As appropriate and practical, all development shall conform to the most current Bike Master Plan adopted by the City Council and the most current trail system plan. Impact fees shall be assessed to mitigate impacts and to contribute to the development of the bike and pedestrian master plans.

POLICY CE-1F: Pedestrian and Bicycle Access. Provide safe and convenient pedestrian and bicycle access to all areas of the city.

Action Item 1. Develop a Pedestrian Master Plan (PMP) identifying and prioritizing improvements to the pedestrian network to support walking as a viable primary mode of travel within Paso Robles. At a minimum, the PMP should include the following components:

- A sidewalk and trail master plan with an inventory of existing and missing sidewalks and a list of projects to ensure pedestrian connections to downtown, employment centers, shopping and services.
- An on-going program to identify and eliminate hazardous conditions to pedestrians and to provide a sidewalk or formal path on every City-controlled street.

Action Item 3. Provide safe and convenient pedestrian, bicycle and vehicle access to the Cuesta College North County Campus, through the following means:

- Incorporate access to and from the campus in City circulation, pedestrian, bicycle, and transit planning.

RESOLUTION NO:

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
APPROVING A MITIGATED NEGATIVE DECLARATION FOR
GENERAL PLAN AMENDMENT 12-001, REZONE 12-001, TENTATIVE PARCEL MAP 12-004,
BORKEY SPECIFIC PLAN AMENDMENT 12-001, PLANNED DEVELOPMENT 12-001,
CONDITIONAL USE PERMIT 12-003
(Ayres Paso Robles, Ltd.)
APN: 025-391-014

WHEREAS, PD 12-001, CUP 12-003, GPA 12-001, RZ 12-001, PR 12-004, BSPA 12-001 (The Project), has been submitted by Doug Ayres on behalf of Ayres Paso Robles, LTD. to establish a 225 room resort hotel; and

WHEREAS, the resort would also include a wellness/spa facility, conference room, restaurant, extended stay units (included in the 225 rooms proposed), wine tasting/retail boutique, and ancillary parking, gardens, orchards and vineyards; and

WHEREAS, the project is proposed to be located on the 20-acre site at the northeast corner of Buena Vista Drive and Experimental Station Road; and

WHEREAS, the project entitlements needed to establish the project include the following:

General Plan Amendment: to change the existing RMF-8 (Residential Multi-Family, 8-units per acre) to Parks and Open Space (POS) with a Resort Lodging Overlay (R/L) land use designation;

Rezone: to change the existing R2 (Residential Multi-Family duplex/triplex) zoning designation to Parks and Open Space (POS) with a Resort Lodging Overlay (R/L) zoning;

Specific Plan Amendment: to amend the Borkey Area Specific Plan to allow for the project which introduces a different land use than that originally approved by the plan, establish updated Specific Plan fees, and adopt a new rural street standard for Experimental Station Road;

Development Plan: development plan to review the project site planning, architectural design and details, mixture of land uses, and landscaping;

Conditional Use Permit: to allow for resort hotels in the POS zoning district, and to exceed the applicable height limitations;

Tentative Parcel Map: requested by the applicant to create separate parcels for the wine tasting retail building and the wellness center from the resort hotel parcel;

Street Abandonment: request to abandon an unused portion of Experimental Station Road, at its intersection with Buena Vista Drive.

WHEREAS, an Initial Study was prepared for this project (attached as Exhibit A) which concludes that a Mitigated Negative Declaration may be approved; and

WHEREAS, Public Notice of the proposed Mitigated Negative Declaration was distributed as required by Section 21092 of the Public Resources Code and no written comments have been submitted; and

WHEREAS, a public hearing was conducted by the Planning Commission on June 26, 2012, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed environmental determination; and

WHEREAS, on June 26, 2012, the Planning Commission recommended that the City Council approve the Mitigated Negative Declaration; and

WHEREAS, a public hearing was conducted by the City Council on July 17, 2012, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed Mitigated Negative Declaration; and

WHEREAS, the applicant has entered into a signed Mitigation Agreement with the City of Paso Robles (prior to Planning Commission action on the Mitigated Negative Declaration) that establishes obligation on the part of the property owner to mitigate potential future impacts as identified in the environmental document; and

WHEREAS, the Mitigation Monitoring Program, attached as Exhibit B to this resolution, has been reviewed by the City Council in conjunction with its review of this project and shall be carried out by the responsible parties by the identified deadlines; and

WHEREAS, based on the information contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the City Council finds no substantial evidence that there would be a significant impact on the environment based on the attached Mitigation Agreement and mitigation measures described in the Initial Study and contained in the resolution approving Planned Development 12-001 (Section 3) as site specific conditions summarized below.

Topic of Mitigation	Condition #
Transportation	Engineering Cond. No. 14
Air Quality	AQ 1- AQ 5
Greenhouse Gas	GHG-1
Biological (Kit Fox & Oak Trees)	BR 1 – BR 16

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles, based on its independent judgment, approves a Mitigated Negative Declaration for PD 12-001, CUP 12-003, GPA 12-001, RZ 12-001, PR 12-004, BSPA 12-001, in accordance with the California Environmental Quality Act; and

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of July, 2012
by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES

- 1. PROJECT TITLE:** Ayres Paso Robles, LTD.
- Concurrent Entitlements:** PD 12-001, CUP 12-003, GPA 12-001, RZ 12-001, TPM 12-004, SA 12-001, Waiver 12-001
- 2. LEAD AGENCY:** City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446
- Contact:**
Phone: (805) 237-3970
Email:
- 3. PROJECT LOCATION:** Northeast corner of Buena Vista & Experimental Station Roads, Paso Robles, CA (APN 025-391-014)
- 4. PROJECT PROPONENT:** Ayres Paso Robles, LTD
- Contact Person:** Doug Ayres
- Phone:** (714) 540-6060
Email: doug@ayresgroup.net
- 5. GENERAL PLAN DESIGNATION:** RMF-8 (Residential Multi-Family, 8 units per acre)
- 6. ZONING:** R2 (Residential Multi-family, 8 units per acre)

PROJECT DESCRIPTION: This is a proposal to establish a 225 room resort hotel with a wellness/spa facility, conference room, restaurant, extended-stay units (included within the 225 rooms proposed), wine tasting/retail boutique, and ancillary parking, landscaping, gardens, orchards and vineyards.

The project entitlements needed to establish the project include the following:

General Plan Amendment: to change the existing RMF-8 (Residential Multi-Family, 8-units per acre) to Parks and Open Space (POS) with a Resort Lodging Overlay (R/L) land use designation;

Rezone: to change the existing R2 (Residential Multi-Family duplex/triplex) zoning designation to Parks and Open Space (POS) with a Resort Lodging Overlay (R/L) zoning;

Specific Plan Amendment: to amend the Borkey Area Specific Plan to allow for the project which deviates from the adopted specific plan land use pattern, and establish updated Specific Plan fees;

Development Plan: development plan to review the project site planning, architectural design and details, mixture of land uses, and landscaping;

Conditional Use Permit: to allow for resort hotels in the POS zoning district, and to exceed the applicable height limitations;

Tentative Parcel Map: requested by the applicant to create separate parcels for the wine tasting retail building and the wellness center from the resort hotel parcel;

Waiver: requested by the applicant to waive the requirement to install curb, gutter and sidewalk along Experimental Station Road.

7. **ENVIRONMENTAL SETTING:** The project is located in the northeast area of Paso Robles, at the northeast corner of Buena Vista Drive and Experimental Station Road, in Subarea D of the Borkey Area Specific Plan, near the intersection of Buena Vista Drive and Highway 46 (refer to Attachment 1, Vicinity Map). The site is undeveloped. The existing landform of the property consists of flat areas toward the west and northern areas of the property. There are two hills on the site, with slopes between 25 – 35% in the southeasterly portion of the site. There are no significant biological resources on the property. However, the property is within the migration corridor for the San Joaquin Kit Fox.

The site is largely surrounded by urban land uses. Surrounding land uses include public-institutional (community college) to the north, multi-family residential to the northwest, neighborhood commercial to the west, a hotel and restaurant to the south, a winery to the southwest, and single-family, rural residential to the east.

8. **OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED):** None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: _____

Date _____

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. “Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	---	---	---	----------------------

I. AESTHETICS: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion (a-c): The project site is visible from Highway 46 East and surrounding local roadways. It is within an urbanized area of the City and is surrounded by development, including a hotel, community college, commercial uses and residences.

The visual quality of the site is moderately high since it is undeveloped open grassland visible from the nearby roads. While the project will alter the visual character of the existing site, the new development provides ample open areas that include orchards, vineyards and landscaping (approximately a third of the property) and would therefore be compatible with the visual quality of surrounding development. However, the site is not within or adjacent to a scenic vista, gateway, or scenic highway as designated by the City's General Plan or other adopted plans or policies. Therefore, the project could not result in a substantial impact on scenic resources. Therefore, this project will not result in significant impacts to scenic resources.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: 1, 2, 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed building and site lighting including parking lot light standards will not result in significant new light or glare onto the surrounding properties. The light fixtures comply with the City's requirements for light shielding and would be downcast to not shed light on adjacent property. Therefore, the proposed project will result in less than significant impacts from light or glare.

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	---	---	---	----------------------

pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion: The project site is identified in the City General Plan, Open Space Element in Figure OS-1, State Farmland Mapping and Monitoring Program (FMMP). The property is identified as having soil that is "Farmland of Local Importance". The project would not convert Prime, Unique or Farmland of Statewide Importance to other uses. The property does not appear to have been used for agricultural uses in the last several decades, and is surrounding by urban land uses. Therefore, this project would result in less than significant impacts to agricultural soils monitored in the State FMMP.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The site is not under Williamson Act contract, nor is it currently used for agricultural purposes. Additionally, agricultural uses such as "crop production" are not permitted in the existing multi-family zoning district.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c. Conflict with existing zoning for, or cause rezoning of, forest, land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 5114(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no forest land or timberland resources within the City of Paso Robles.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d. Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See II c. above.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Given the existing characteristics of the site including the surrounding development, location to the State Highway and City infrastructure, development of this site would not have a significant impact to agricultural or forestry resources.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan?
(Source: Attachment 5) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
---	---	---	----------------------

Discussion: The proposed project is located within an urban area of the City with access to an existing transit stop within approximately 0.1 mile of the project site. A planned future bikeway is located along Buena Vista Road, adjacent to the project site. Furthermore, as described in III c. below, the proposed project would not result in operational emissions that would exceed SLOAPCD's significance thresholds for criteria air pollutants. For these reasons, the proposed project would not conflict with or obstruct continued implementation of the Air District's Clean Air Plan. This impact is considered less than significant.

- b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 11)

Discussion: There are no existing or projected air quality violations within the vicinity of the proposed project. Implementation of the proposed project would result in short-term construction and long-term operational emissions. Short-term construction-generated emissions could potentially exceed APCD-recommended significance thresholds. As a result, this impact is considered potentially significant. However with mitigation measures incorporated impacts are considered less than significant. See Attachment 4, Mitigation Measures Summary.

- c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 11)

Discussion:

Short-term Construction Emissions

Short-term increases in emissions would occur during the construction process. Construction-generated emissions are of temporary duration, lasting only as long as construction activities occur, but have the potential to represent a significant air quality impact. The construction of the proposed project would result in the temporary generation of emissions associated with site grading and excavation, paving, motor vehicle exhaust associated with construction equipment and worker trips, as well as the movement of construction equipment on unpaved surfaces. Short-term construction emissions would result in increased emissions of ozone-precursor pollutants (i.e., ROG and NO_x) and emissions of PM. Emissions of ozone-precursors would result from the operation of on- and off-road motorized vehicles and equipment. Emissions of airborne PM are largely dependent on the amount of ground disturbance associated with site preparation activities and can result in increased concentrations of PM that can adversely affect nearby sensitive land uses.

Detailed construction information is not currently available for the proposed project. However, construction emissions modeling was conducted using the CalEEMod computer program, based on the default construction schedule durations and equipment requirements identified in the model. Equipment load factors were revised to match those identified in the Carl Moyer Program Guidelines (2011), per SLOAPCD recommendations. Site preparation and grading activities for the entire site were assumed to occur during the initial development phase. Asphalt paving emissions were adjusted to quantify emissions associated with anticipated areas of asphalt coating application for parking stalls and handicap markers.

Potentially Significant Impact
 Less Than Significant with Mitigation Incorporated
 Less Than Significant Impact
 No Impact

Estimated construction emissions for the construction pollutants of primary concern (i.e., ROG, NO_x, PM₁₀ and PM_{2.5}) are summarized in Table 7. Estimated emissions in comparison to SLOAPCD significance thresholds are summarized in Table 8 and Table 9. As indicated in Table 8, combined quarterly emissions of ROG and NO_x occurring during the initial development of the proposed project would total approximately 2.6 tons/year, which would exceed the SLOAPCD's significance threshold of 2.5 tons/quarter. These emissions of ROG and NO_x assume that site preparation and site grading activities would occur during the same calendar quarter. Emissions of DPM and fugitive dust generated during the initial development phase, as well as, emissions generated during development of Phase 3, would not exceed applicable significance thresholds. Because estimated emissions of ROG and NO_x occurring during initial site preparation and grading would exceed applicable thresholds, this impact would be considered potentially significant.

Table 7
Estimated Construction Emissions Without Mitigation

Construction Phase	Construction Years	Maximum Daily Emissions (lbs/day)					Total PM _{2.5}
		ROG	NO _x	PM ₁₀			
				Dust	Exhaust	Total	
Phase 1 & 2	2012 - 2014	8.57	69.87	18.35	3.37	21.72	12.84
Phase 3	Year 2017	3.69	23.24	0.36	1.33	1.69	1.34

*Assumes development of Project Phases 1 and 2 could occur simultaneously.
Refer to **Appendix C** for modeling output files and assumptions.*

Table 8
Estimated Construction Emissions Without Mitigation in Comparison to SLOAPCD Significance Thresholds Project Phases 1 & 2 (Construction Years 2012-2014)

Criteria	Emissions	SLOAPCD Significance Threshold	Exceed Significance Threshold?
Maximum Daily Emissions (ROG+NO _x):	78.44 lbs/day	137 lbs/day	No
Maximum Quarterly Emissions (ROG+NO _x):	2.6 tons/qtr	2.5 tons/qtr	Yes
Maximum Daily Emissions (DPM):	3.37 lbs/day	7.0 lbs/day	No
Maximum Quarterly Emissions (DPM):	0.12 tons/qtr	0.13 tons/qtr	No
Maximum Quarterly Emissions (Fugitive PM):	0.3 tons/qtr	2.5 tons/qtr	No

*Detailed construction phasing information is not yet available. Emissions were quantified based on default construction schedule durations contained in the CalEEMod computer model. Emissions associated with the application of architectural coatings were averaged over the duration of the building construction phase.
Refer to **Appendix C** for modeling output files and assumptions.*

Potentially Significant Impact
 Less Than Significant with Mitigation Incorporated
 Less Than Significant Impact
 No Impact

Table 9
Estimated Construction Emissions Without Mitigation
in Comparison to SLOCAPCD Significance Thresholds
Project Phase 3 (Construction Year 2017)

Criteria	Emissions	SLOCAPCD Significance Threshold	Exceed Significance Threshold?
Maximum Daily Emissions (ROG+NO _x):	26.93 lbs/day	137 lbs/day	No
Maximum Quarterly Emissions (ROG+NO _x):	0.90 tons/qtr	2.5 tons/qtr	No
Maximum Daily Emissions (DPM):	1.30 lbs/day	7.0 lbs/day	No
Maximum Quarterly Emissions (DPM):	0.04 tons/qtr	0.13 tons/qtr	No
Maximum Quarterly Emissions (Fugitive PM):	0.01 tons/qtr	2.5 tons/qtr	No
<i>Detailed construction phasing information is not yet available. Emissions were quantified based on default construction schedule durations contained in the CalEEMod computer model. Emissions associated with the application of architectural coatings were averaged over the duration of the building construction phase. Refer to Appendix C for modeling output files and assumptions.</i>			

Significance After Mitigation

With mitigation measures included in the Mitigation Measure Summary, (Attachment 4), which includes SLOCAPCD-recommended *Standard Mitigation Measures for Construction Equipment*, and additional mitigation measures included to encourage the reuse and recycling of construction materials and the use of heavy-duty construction equipment meeting CARB’s Tier 3 engine emission standards, short-term construction-generated emissions would be reduced to below 2.5 tons/quarter and would not exceed SLOCAPCD significance thresholds. With mitigation incorporated this impact would be considered less than significant.

Long-term Operational Emissions

Long-term operational emissions associated with the proposed project would be predominantly be the result of mobile sources. To a lesser extent, emissions associated with area sources, such as landscape maintenance activities, as well as, use of electricity and natural gas would also contribute to increased emissions.

Operational emissions were quantified using the CalEEMod computer program based on the default modeling parameters contained in the model for San Luis Obispo County. The trip-generation rates and non-employee trip distances were adjusted to reflect anticipated project-specific characteristics. Estimated long-term operational emissions are summarized in Table 10. Emissions modeling assumptions and results are included in Appendix C of the Air Quality & Greenhouse Gas Impact Assessment (see Attachment 4).

Potentially Significant Impact **Less Than Significant with Mitigation Incorporated** **Less Than Significant Impact** **No Impact**

**Table 10
Estimated Operational Emissions Without Mitigation**

Source	Maximum Daily Emissions (lbs/day)					
	ROG	NO _x	PM ₁₀			Total PM _{2.5}
			Fugitive	Exhaust	Total ⁽¹⁾	
Phases 1 & 2 (Operational Year 2014)						
Summer Conditions	7.92	9.02	5.64	0.23	5.97	0.53
Winter Conditions	8.23	9.47	5.64	0.23	5.98	0.53
Phases 1, 2 & 3 (Operational Year 2018)						
Summer Conditions	9.39	9.22	7.50	0.27	7.93	0.51
Winter Conditions	9.67	9.58	7.50	0.27	7.93	0.51
<i>1. May include indirect emissions from energy use not reflected in exhaust and fugitive categories. Refer to Appendix C for modeling output files and assumptions.</i>						

Operational emissions are compared to the SLOCAPCD's significance thresholds in Table 11. As indicated in Table 11, operational emissions are not projected to exceed SLOCAPCD's significance thresholds. Long-term operational emissions attributable to the proposed project would be considered less than significant.

**Table 11
Estimated Operational Emissions
in Comparison to SLOCAPCD Significance Thresholds**

Criteria	Emissions	SLOCAPCD Significance Threshold	Exceed Significance Threshold?
Maximum Daily ROG+NO _x Emissions (Winter):	19.25 lbs/day	25 lbs/day	No
Maximum Annual ROG+NO _x Emissions:	3.39 tons/year	25 tons/year	No
Maximum Daily DPM Emissions:	0.004 lbs/day	1.25 lbs/day	No
Maximum Daily Fugitive PM Emissions:	7.5 lbs/day	25 lbs/day	No
Maximum Annual Fugitive PM Emissions:	1.18 tons/year	25 tons/year	No
Maximum Daily CO Emissions:	43.14 lbs/day	550 lbs/day	No
<i>Represents maximum emissions associated with the proposed project, including interim year 2014 and buildout year 2018 conditions, as noted in Table 10. DPM emissions assume heavy-duty trucks constitute 0.015831 percent of the fleet mix, based on default model parameters contained in CalEEMod for San Luis Obispo County.</i>			

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Expose sensitive receptors to substantial pollutant concentrations? (Source: 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion: The exposure of sensitive receptors to substantial pollutant concentrations may potentially occur during construction and long-term operation of the proposed project. Short-term exposure to TACs during the construction phase would be primarily associated with emissions from diesel-fueled off-road equipment. Long-term exposure to pollutant concentrations are typically associated with potential increases in localized concentrations of mobile-source CO at nearby congested roadway intersections and TACs associated with increased exposure to motor vehicle traffic, particularly among roadways that experience high volumes of diesel-fueled trucks. Potential increases in localized concentrations of pollutants associated with short-term construction and long-term operation of the proposed project are discussed separately, as follows:

Naturally-occurring asbestos, which was identified as a TAC in 1986 by CARB, is located in many parts of California and is commonly associated with ultramafic rock. The project site is not located near any areas that are likely to contain ultramafic rock. As a result, risk of exposure to asbestos during the construction process would be considered less than significant.

Implementation of the proposed project would result in the generation of diesel particulate matter (DPM) emissions during construction from the use of off-road diesel equipment for site grading and excavation, paving and other construction activities. Health-related risks associated with diesel-exhaust emissions are primarily associated with long-term exposure and associated risk of contracting cancer. The use of diesel-powered construction equipment, however, would be temporary and episodic and would occur over a relatively large area. In addition, as noted in "Impact C" above, uncontrolled construction-generated emissions of DPM would not exceed corresponding SLOAPCD's significance thresholds. However, site preparation and grading activities could result in increased emissions of fugitive dust which could adversely affect nearby receptors. As a result, short-term increases of fugitive dust would be considered *potentially significant*.

Long-term Air Quality Impacts

Toxic Air Contaminants

Implementation of the proposed project would not result in the long-term operation of any major onsite stationary sources of TACs, nor would project implementation result in a significant increase in diesel-fueled vehicles traveling along area roadways. Implementation of the proposed project would not result in the construction of sensitive land uses within approximately 500 feet of a major transportation corridor. Furthermore, as noted in Impact C, operational emissions of DPM would not exceed SLOAPCD's corresponding threshold of 1.25 lbs/day (refer to Table 5). For these reasons, long-term exposure to TACs would be considered less than significant.

Mobile-Source Carbon Monoxide

Carbon monoxide is the primary criteria air pollutant of local concern associated with the proposed project. Under specific meteorological and operational conditions, such as near areas of heavily congested vehicle traffic, CO concentrations may reach unhealthy levels. If inhaled, CO can be adsorbed easily by the blood stream and can inhibit oxygen delivery to the body, which can cause significant health effects ranging from slight headaches to death. The most serious effects are felt by individuals susceptible to oxygen deficiencies, including people with anemia and those suffering from chronic lung or heart disease.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
---	---	---	----------------------

Mobile-source emissions of CO are a direct function of traffic volume, speed, and delay. Transport of CO is extremely limited because it disperses rapidly with distance from the source under normal meteorological conditions. For this reason, modeling of mobile-source CO concentrations is typically recommended for sensitive land uses located near signalized roadway intersections that are projected to operate at unacceptable levels of service (i.e., LOS E or F).

Based on the traffic analysis prepared for the proposed project, nearby signalized intersections are projected to operate at LOS C or better, under existing-plus-project conditions. With implementation of planned future roadway improvements, nearby signalized intersections are projected to operate at LOS D, or better, under future plus project conditions (Penfield & Smith 2012). In comparison to the CO screening criteria, implementation of the proposed project would not result in or contribute to unacceptable levels of service (i.e., LOS E, or worse) at nearby intersections. In addition, implementation of the proposed project would not result in localized emissions of CO that would exceed SLOAPCD’s localized CO significance threshold of 550 lbs/day. As noted earlier in this report, a majority of the project-generated emissions would be attributable to mobile sources, which would be generated on roadways throughout the basin. For the reasons discussed above and given the relatively low background CO concentrations in the project area, this impact would be considered less than significant.

- e. Create objectionable odors affecting a substantial number of people? (Source: 11)

Discussion: The proposed project would not result in the installation of any equipment or processes that would be considered major odor-emission sources. However, construction of the proposed project would involve the use of a variety of gasoline or diesel-powered equipment that would emit exhaust fumes. Exhaust fumes, particularly diesel-exhaust, may be considered objectionable by some people. In addition pavement coatings and architectural coatings used during project construction would also emit temporary odors. However, construction-generated emissions would occur intermittently throughout the workday and would dissipate rapidly within increasing distance from the source. As a result, short-term construction activities would not expose a substantial number of people to frequent odorous emissions. For these reasons, potential exposure of sensitive receptors to odorous emissions would be considered less than significant.

IV. BIOLOGICAL RESOURCES: Would the project:

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(Source: Attachment 6,7&8)

Discussion (a-f):

- a. The project site contains 20 acres of annual grassland and 1 acre of coyote brush scrub (Althouse and Meade). Neither of these vegetation communities is protected. Annual grassland is sometimes referred to as non-native grassland and is dominated by wild oats, mustard, and brome grasses. The coyote brush scrub is associated with areas identified as previously disturbed and left untended; the species composition is similar to those found in the vicinity.

Vegetation removal and construction activities associated with the proposed project could have adverse impacts to nesting birds if conducted during the nesting season (March 15 through August 15). The potential for adverse effects to nesting birds can be reduced through mitigation measures. See Attachment 3, Mitigation Measures Summary.

The property is located within a San Joaquin Kit Fox (SJKF) migration corridor and the site grassland provides suitable habitat for this species. The SJKF is listed by the State as a “threatened” species, and Federally listed as an “endangered” species. The SJKF and their habitat are protected under the Endangered Species Act (ESA). Due to the site’s isolated location in the migration corridor, construction of the project has a low potential to result in direct take of kit fox, however the potential can be reduced to a less than significant level through implementation of standard construction-related kit fox protection measures. Impacts to their habitat would be considered significant unless mitigated. The project incorporates on-site mitigation as well as off-site mitigation. A Kit Fox Habitat Evaluation was prepared for this project. It resulted in recommended habitat mitigation of 2:1, which was confirmed by the California Department of Fish and Game. The applicant will coordinate with the City and the California Department of Fish and Game to execute appropriate mitigation as provided in Attachment 3, Mitigation

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
---	---	---	----------------------

Measures Summary.

There are no wetlands located on the project site, therefore there will be no impacts to wetland resources as a result of this project. There are also no creeks, streams or other surface water resources located on the site.

There are 3 oak trees on the property adjacent to Experimental Station Road that are in healthy condition. None of the trees are proposed for removal, and they will be protected per the project arborist's recommendations during construction in compliance with the City's Oak Tree Preservation Ordinance. The trees are not within areas proposed for construction, however frontage improvements will need to be designed around the trees. Therefore, impacts to the oak trees will be less than significant with mitigation measures incorporated.

There are no Habitat Conservation Plans or other related plans applicable in the City of Paso Robles.

V. CULTURAL RESOURCES: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

(Source: Attachment 8)

Discussion (a-d): There are no historic resources (as defined), located on the site. There are also no archaeological or paleontological resources known to be present on the site or in the near vicinity. Since the property is not located within proximity to a creek or river or known cultural resource it is unlikely that there are resources located on the site. Additionally, a prior project (General Plan Amendment and Rezone) approved for this project site required contacting the State Native American Heritage Commission (NAHC) and contacting all known local tribes, to determine if this property is a "sacred site" in accordance with Senate Bill 18. The NAHC was contacted again for review of this project and no Native American Tribes have reported that this property was previously used by Native Americans or that it is a sacred site.

There are no known human remains on the project site, however if human remains are found during site disturbance, all grading and/or construction activities shall stop, and the County Coroner shall be contacted to investigate.

Therefore, this project will result in less than significant impacts on cultural resources.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
---	---	---	----------------------

VI. GEOLOGY AND SOILS: Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Sources: 1, 2, & 3)

Discussion: The potential for and mitigation of impacts that may result from fault rupture in the project area are identified and addressed in the General Plan EIR, pg. 4.5-8. There are two known fault zones on either side of the Salinas Rivers valley. The Rinconada Fault system runs on the west side of the valley, and grazes the City on its western boundary. The San Andreas Fault is on the east side of the valley and is situated about 30 miles east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the California Building Code (CBC) to all new development within the City. Review of available information and examinations indicate that neither of these faults is active with respect to ground rupture in Paso Robles. Soils and geotechnical reports and structural engineering in accordance with local seismic influences would be applied in conjunction with any new development proposal. Based on standard conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant. There are no Alquist-Priolo Earthquake Fault Zones within City limits.

ii. Strong seismic ground shaking? (Sources: 1, 2, & 3)

Discussion: The proposed project will be constructed to current CBC codes. The General Plan EIR identified impacts resulting from ground shaking as less than significant and provided mitigation measures that will be incorporated into the design of this project including adequate structural design and not constructing over active or potentially active faults. Therefore, impacts that may result from seismic ground shaking are considered less than significant.

iii. Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3)

Discussion: Per the General Plan EIR, the project site is located in an area with soil conditions that have a low potential for liquefaction or other type of ground failure due to seismic events and soil conditions. To implement the EIR's mitigation measures to reduce this potential impact, the City has a standard condition to require submittal of soils and geotechnical reports, which include site-specific analysis of liquefaction potential for all building permits for new construction, and incorporation of the recommendations of said reports into the design of the project.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: Per the General Plan Safety Element, the project site is in an area that is designated a low-risk area for landslides. Therefore, potential impacts due to landslides is less than significant.				
b. Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: Per the General Plan EIR the soil condition is not erosive or otherwise unstable. As such, no significant impacts are anticipated. A geotechnical/ soils analysis will be required prior to issuance of building permits that will evaluate the site specific soil stability and suitability of grading and retaining walls proposed. This study will determine the necessary grading techniques that will ensure that potential impacts due to soil stability will not occur. An erosion control plan shall be required to be approved by the City Engineer prior to commencement of site grading.				
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See response to item a.iii, above.				
d. Be located on expansive soil, as defined in Table 18-1-B of the California Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See response to item a.iii, above.				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The development will be connected to the City's municipal wastewater system, therefore there would not be impacts related use of septic tanks.				

VII. GREENHOUSE GAS EMISSIONS: Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact
 Less Than Significant with Mitigation Incorporated
 Less Than Significant Impact
 No Impact

greenhouse gasses?

Discussion (a-b):

GHG emissions associated with the proposed project were calculated using the CalEEMod computer program. Construction equipment load factors were adjusted to reflect those currently identified in the Carl Moyer Program Guidelines (2011). Equipment requirements, hours of use, construction employee trips, and equipment emission factors were based on the default parameters contained in the models. Operational vehicle trip-generation rates and non-employee commute trip distances were adjusted to reflect anticipated project-specific conditions. Modeling assumptions and output files are included in Attachment 5, Appendix C of this report.

THRESHOLDS OF SIGNIFICANCE

Project-generated emissions exceeding the SLOAPCD recommended significance thresholds for GHG emissions, as summarized in Table 12, would be considered to have a potentially significant impact on the environment, which could conflict with implementation of applicable plans, policies and regulations pertaining to the reduction of GHG emissions, including AB 32.

Estimated GHG emissions attributable to future development would be primarily associated with increases of CO₂ from mobile sources. To a lesser extent, other GHG pollutants, such as CH₄ and N₂O, would also be generated. Short-term and long-term GHG emissions associated with the development of the proposed project are discussed in greater detail, as follows:

Short-term Greenhouse Gas Emissions

Estimated increases in GHG emissions associated with construction of the proposed project are summarized in Table 14. Based on the modeling conducted, annual emissions of greenhouse gases associated with construction of the proposed project would range from approximately 77 to 566 MTCO_{2e}, depending on the specific facilities being constructed. In total, over the life of the project, combined construction-generated emissions would total approximately 1,426 MTCO_{2e}. There would also be a small amount of GHG emissions from waste generated during construction; however, this amount is speculative. Actual emissions may vary, depending on the final construction schedules, equipment required, and activities conducted.

**Table 14
Annual Construction-Generated GHG Emissions**

Construction Year	GHG Emissions/Construction Year (MTCO _{2e} /Year)
Year 2012	327.33
Year 2013	566.68
Year 2014	77.03
Year 2017	455.13
<i>Refer to Appendix C for modeling assumptions and results.</i>	

Long-term Greenhouse Gas Emissions

Estimated long-term increases in GHG emissions associated with the proposed project are summarized in Table 15. Based on the modeling conducted, operational GHG emissions would be predominantly associated with mobile sources and energy use, which would constitute roughly 90 percent of total project-generated GHG emissions. To a lesser extent, GHG emissions would also be associated with solid waste generation, as

Potentially Significant Impact
 Less Than Significant with Mitigation Incorporated
 Less Than Significant Impact
 No Impact

well as, water use and conveyance.

Table 15
Operational Greenhouse Gas Emissions (Year 2020)
Without Mitigation

Source	Net Change in Emissions (MTCO _{2e} /Year)
Construction (Amortized) ⁽¹⁾	57
Energy Use	861
Motor Vehicles	806
Waste Generation	72
Water Use and Conveyance	17
Carbon Sequestration	-24
Total:	1,813
SLOAPCD Significance Threshold:	1,150
Exceeds Significance Threshold?:	Yes
<i>1. Based on a combined total of approximately 1,426 MTCO_{2e} amortized over an average project life of 25 years.</i> <i>2. Carbon sequestration includes changes in onsite vegetation, including proposed vineyard and orchard areas. Assumes 20 acres of initial grassland, 5.3 final acres of vineyard, and planting of an estimated 762 trees, including fruit orchard and miscellaneous domestic landscaping trees.</i> <i>Refer to Appendix C for modeling assumptions and results.</i>	

As noted in Table 15, the proposed project would generate a total of approximately 1,813 MTCO_{2e}/year. Project-generated GHG emissions would exceed the SLOAPCD’s significance threshold of 1,150 MTCO_{2e}/year. Project-generated GHG emissions would be considered to have a potentially significant impact on the environment, which could conflict with implementation of applicable plans, policies and regulations pertaining to the reduction of GHG emissions, including AB 32. Mitigation Measures are provided in Attachment 3, Mitigation Measures Summary.

Significance After Mitigation

With implementation of GHG-reduction mitigation measures sufficient to reduce GHG’s to below the SLOAPCD’s GHG significance threshold of 1,150 MTCO_{2e}/year, this impact would be considered less than significant. Examples of GHG-reduction measures, including those currently being considered for implementation by the proposed project applicant, are summarized below. Additional information regarding many of these mitigation measures is included in Attachment 3, Mitigation Measures Summary.

Greenhouse Gas Reduction Measures:

- Install high-efficiency (e.g, LED) exterior lighting.
- Install EnerSaver systems in guest rooms.
- Increase building energy efficiencies beyond Title 24 standards.
- Participate in SLO Car Free program.
- Participate in FunRide program. Includes an onsite designated parking space for a FunRide vehicle.
- Provide a shuttle service for guests to local destinations.
- Include provisions to provide bicycle parking facilities, end of trip facilities (i.e., showers, lockers, etc. to promote employee and guest bicycle use.

Potentially Significant Impact
 Less Than Significant with Mitigation Incorporated
 Less Than Significant Impact
 No Impact

- Provide onsite bicycle rentals to promote bicycle use for guests.
- Provide pedestrian access to the nearby public transit stop.
- Include installation of low-flow bathroom and kitchen faucets, low-flow toilets, and low-flow showers.
- Install water efficient irrigation systems.

Estimated GHG emissions, with implementation of the above measures currently being considered, are summarized in Table 16. As noted, implementation of the mitigation measures currently being considered would reduce operational GHG emissions from a total of 1,813 MTCO₂e/year to approximately 1,561 MTCO₂e/year; an estimated reduction of approximately 252 MTCO₂e/year. As also noted in Table 15, increased carbon sequestration provided by the proposed onsite vineyard and orchard would reduce GHG emissions by an average of approximately 24 MTCO₂e/year. Actual GHG reductions would depend on the measures ultimately included.

Based on the measures currently identified, additional reductions in GHG emissions in excess of approximately 411 MTCO₂e/year would be required to reduce operational emissions to below the SLOAPCD’s significance threshold of 1,150 MTCO₂e/year. Additional reductions could be achieved through implementation of additional GHG-reduction measures, such as the installation of solar photovoltaic (PV) systems. Actual reductions associated with solar PV systems would depend on various factors including final site and building design, solar orientation of roof-top areas, and the size and design of the system installed. For instance, assuming power generation from solar PV systems of 500,000 to 750,000 kWh/year, associated reductions in GHG emissions would range from approximately 154 to 225 MTCO₂e/year, respectively. Implementation of additional onsite mitigation and/or payment of fees to the SLOAPCD for offsite mitigation, as required by Mitigation Measure GHG-1, would reduce this impact to a less-than-significant level.

**Table 16
Operational Greenhouse Gas Emissions (Year 2020)
With Mitigation**

Source	Net Change in Emissions (MTCO ₂ e/Year)
Construction (Amortized) ⁽¹⁾	57
Energy Use ⁽²⁾	651
Motor Vehicles ⁽³⁾	792
Waste Generation	72
Water Use and Conveyance ⁽⁴⁾	14
Carbon Sequestration ⁽⁵⁾	-24
Total:	1,561
SLOAPCD Significance Threshold:	1,150
Exceeds Significance Threshold?:	Yes
Remaining GHG Emissions to be Mitigated:	411
<ol style="list-style-type: none"> 1. Based on a combined total of approximately 1,426 MTCO₂e amortized over an average project life of 25 years. 2. Assumes an estimated 20% above Title 24 energy-efficiency standards, including installation of the EnerSaver system. Includes installation of exterior LED lighting and an estimated energy use reduction of 75% in comparison to standard incandescent lighting. 3. Includes participation in SLO Car Free and FunRide programs, designated parking space for a FunRide automobile, implementation of a guest shuttle system, installation of facilities to promote bicycle use and access 	

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
---	---	---	----------------------

to local transit. Based on the following assumptions:

- *SLO Car Free: Assumes five percent of trips originating from southern California would participate in SLO Car Free for estimated annual reductions of 16,671 vehicle miles traveled.*
- *FunRide: Based on information provided by FunRide staff, inclusion of a designated parking space for a FunRide vehicle at the hotel would achieve estimated annual reductions of approximately 18,000 VMT.*
- *Shuttle Service: Based on a shuttle trip-generation rate of 0.174/room, provided by the project applicant for similar hotels. Assumes 225 rooms at buildout with annual reductions in guest related VMT of 29,807 miles.*
- *Bicycle & Transit: Includes provisions to provide bicycle parking facilities, end of trip facilities (i.e., showers, lockers, etc.), proximity to existing or planned future bicycle paths, and access to existing or planned public transit service. Combined estimated reductions in local employee and guest trips of 11,542 VMT.*

4. *Includes installation of low-flow bathroom and kitchen faucets, low-flow toilets, low-flow showers, and installation of water efficient irrigation systems. Based on CalEEMod default reductions in water use.*

5. *Carbon sequestration includes changes in onsite vegetation, including proposed vineyard and orchard areas. Assumes 20 acres of initial grassland, 5.3 final acres of vineyard, and planting of an estimated 762 trees, including fruit orchard and miscellaneous domestic landscaping trees. Carbon sequestration for trees is based on an average annual reduction calculated over a period of approximately 20 years.*

Refer to Appendix C for modeling assumptions and results.

VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Discussion: The project would use industry-standard landscape and building maintenance products which would be stored in compliance with all applicable safety requirements. The project does not include use of, transport, storage or disposal of hazardous materials that would create a significant hazard to the public or environment.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Discussion: See VIII a. above.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Discussion: The proposed hotel resort project will not emit hazardous materials and will not impact schools within

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
the vicinity.				
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project site is not identified as a hazardous site per state Codes.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: (e. & f.) The project site is not located within an airport safety zone.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The project will not impair or interfere with adopted emergency response routes or plans.

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The project is not in the vicinity of wildland fire hazard areas.

IX. HYDROLOGY AND WATER QUALITY: Would the project:

a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: The proposed project is designed to retain stormwater on-site through installation of various low-impact development (LID) features. The project was been designed to reduce impervious surfaces, preserve

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
---	---	---	----------------------

existing vegetation, and promote groundwater recharge by employing bioretention through implementation of these measures. Thus, water quality standards will be maintained and discharge requirements will be in compliance with State and local regulations. Therefore, impacts to water quality and discharge will be less than significant.

- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., Would the production rate of pre-existing nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Would decreased rainfall infiltration or groundwater recharge reduce stream baseflow? (Source: 7)

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: The proposed project would be on the City's municipal water supply system, therefore it could not individually impact nearby well production. The site is designed to reduce impervious surfaces where possible and to direct surface drainage to onsite retention systems to facilitate groundwater recharge.

The City has sufficient groundwater resource capacity in combination with surface water resources to adequately serve this project. The General Plan accounts for water resource demand for a combination of resort and residential land uses on this property. Water demand was calculated for the proposed project and it is determined that the project with all resort uses, including landscaping, vineyards and orchards, would use 63% as much water as would be needed for multi-family development currently planned for under existing zoning (136 dwelling units). Therefore, this project would not substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the groundwater basin, and impacts to groundwater resources would be less than significant.

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 10)

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: The drainage pattern on the site would not be substantially altered with development of this project since the project largely maintains the existing, historic drainage pattern of the property, and drainage will be maintained on the project site. Additionally, surface flow would be directed to historic drainage areas for percolation in bioswale drainage features at the southwest corner of the property. There are no streams, creeks or rivers on or near the project site that could be impacted from this project or result in erosion or siltation on- or off-site. Therefore, impacts to drainage patterns and facilities would less than significant.

- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 10)

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

Discussion: See IX c. above. Drainage resulting from development of this property will be maintained onsite and will not contribute to flooding on- or off-site. Thus, flooding impacts from the project are considered less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: As noted in IX a. above, surface drainage will be managed onsite and will not add to offsite drainage facilities. Additionally, onsite LID drainage facilities will be designed to clean pollutants before they enter the groundwater basin. Therefore, drainage impacts that may result from this project would be less than significant.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f. Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See answers IX a. – e. This project will result in less than significant impacts to water quality.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There is no housing associated with this project nor is there any housing in the near vicinity downstream from the site and the site is not within or near a flood hazard area. Therefore this project could not result in flood related impacts to housing.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See IX h. above.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See IX h. above. Additionally, there are no levees or dams in the City.

- | | | | | |
|---------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| j. Inundation by mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: In accordance with the Paso Robles General Plan, there is no mudflow hazards located on or near the project site. Therefore, the project could not result in mudflow inundation impacts.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| k. Conflict with any Best Management Practices found within the City's Storm Water Management Plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project will implement the City's Storm Water Management Plan - Best Management Practices, and would therefore not conflict with these measures.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| l. Substantially decrease or degrade watershed storage of runoff, wetlands, riparian areas, aquatic habitat, or associated buffer zones? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
---	---	---	----------------------

Discussion: The project will incorporate all feasible means to manage water runoff on the project site. There is no wetland or riparian areas in the near vicinity, and the project could not result in impacts to aquatic habitat. Therefore, the project will not result in significant impacts to these resources.

X. LAND USE AND PLANNING: Would the project:

- a. Physically divide an established community?

Discussion: The project is largely surrounded by non-residential land uses, except for low density residences located to the east of the site. Additionally, the eastern area of the project site is proposed to include low-density "extended stay" cottage type accommodations that would provide a smooth transition to the residential development to the east of the project. The project will therefore not physically divide an established community.

- b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Discussion: The existing entitlements were not adopted for the purpose of avoiding or mitigating environmental effects. The project scope includes amendments to the General Plan Land Use designation and zoning of the site to Parks and Open Space with a Resort Lodging Overlay. It also includes an amendment to the Borkey Area Specific Plan for consistency. The proposed change of land use designation and zoning would complement and be compatible with the surrounding land.

- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion: There are no habitat conservation plans or natural community conservation plans established in this area of the City. Therefore there would be no conflicts.

XI. MINERAL RESOURCES: Would the project:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1)

Discussion: There are no known mineral resources at this project site.

- b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1)

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
---	---	---	----------------------

Discussion: There are no known mineral resources at this project site.

XII. NOISE: Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project site is located outside noise impacts zones as mapped in the City's General Plan Noise Element that may result from Highway 46, thus noise will not significantly impact use of the project site. Additionally, the proposed project includes land uses such as lodging, retail, wellness center and a restaurant, which do not create excessive noise that may impact surrounding properties.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project may result in short term construction noise and vibration from machinery, however, the construction noise is not anticipated to be excessive nor operate in evening hours. Therefore, impacts from groundborne vibration noise would be considered less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: As noted in XII a. the proposed land use does not create significant noise, and would therefore not result in contributing permanent increases in ambient noise levels.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See XII a. – c. above.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project is not located within an airport area subject to an airport land use plan, and will thus not be impacted by airport related noise.

XIII. POPULATION AND HOUSING: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Induce substantial population growth in an area, either directly (for example, by | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1)				
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion (a-c): The project site is currently undeveloped, vacant land and jobs created can be absorbed by the local and regional employment market, and will not create the demand for new housing or population growth or displace housing or people.				

XIV. PUBLIC SERVICES: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a. Fire protection? (Sources: 1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection? (Sources: 1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities? (Sources: 1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion (a-e): The proposed project will not result in a significant demand for additional new services since it is not proposing to include new neighborhoods or a significantly large scale development, and the incremental impacts to services can be mitigated through payment of development impact fees. Therefore, impacts that may result from this project on public services are considered less than significant.

XV. RECREATION

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	---	---	---	----------------------

facility would occur or be accelerated?

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion (a&b):

As a commercial development project that will not encourage new housing demands and use of recreational facilities, it will not result in impacts to recreational facilities.

XVI. TRANSPORTATION/TRAFFIC: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Conflict with an applicable plan, ordinance or policy establishing measures or effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project provides frontage improvements that includes a sidewalk and Class II bike lane which is consistent with City standards and the 2009 Bike Master Plan. A transit stop is located within one block from the project site on Buena Vista Drive (in front of Cuesta Community College). The project is consistent with the policies of the City's 2011 Circulation Element by providing facilities for multiple modes of transportation.

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

(Source: Attachment 9)

Discussion (a,b): The traffic study prepared for this project by Penfield & Smith evaluated project related traffic impacts for existing plus-project traffic conditions. The study determined that no project-specific impacts are projected for either Buena Vista Drive or the 4 nearby intersections, including SR 46/Buena Vista; SR 46/Golden Hill; N. River Rd/River Oaks Dr.; Buena Vista/Dallons Rd.

The applicant shall be required to pay transportation impact fees established by City Council in affect at the time of occupancy to mitigate future impacts with planned improvements by the City and Caltrans.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project site is not located within an airport land use planning area.				
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: There are no hazardous design features associated with, planned for or will result from this project.				
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project will not impede emergency access, and is designed in compliance with all emergency access safety features and to City emergency access standards.				
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project incorporates multi-modal transportation facilities and access such as bike lanes, sidewalks, walkways and is located near a transit stop. Therefore, it does not conflict with policies and plans regarding these facilities.				

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project will comply with all applicable wastewater treatment requirements required by the City, RWQCB and the State. Therefore, there will be no impacts resulting from wastewater treatment from this project.				
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: Per the City's General Plan EIR, Urban Water Management Plan, and Sewer System Management Plan, the City's water and wastewater treatment facilities are adequately sized, including				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	---	---	---	----------------------

planned facility upgrades, to provide water needed for this project and treat effluent resulting from this project. Therefore, this project will not result in the need to construct new facilities.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: All new stormwater resulting from this project will be managed on the project site, and will not enter existing storm water drainage facilities or require expansion of new drainage facilities. Therefore, the project will not impact the City's storm water drainage facilities.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: As noted in section IX on Hydrology, this project will use less water for the proposed project than planned for under existing zoning. The project can be served with existing water resource entitlements available and will not require expansion of new water resource entitlements.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Per the City's SSMP The City's wastewater treatment facility has adequate capacity to serve this project as well as existing commitments.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Per the City's Landfill Master Plan, the City's landfill has adequate capacity to accommodate construction related and operational solid waste disposal for this project.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g. Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project will comply with all federal, state, and local solid waste regulations.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
---	---	---	----------------------

community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion: As noted within this environmental document, and with the mitigation measures outlined in the document, the projects impacts related to habitat for wildlife species (San Joaquin Kit Fox) will be less than significant with mitigation incorporated. There will be no impact to fish habitat as well as no impact to fish and wildlife populations. The site is routinely maintained and mowed, so impact to fish, wildlife, of plant habitat is less than significant.

- b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The project will not have impacts that are individually limited, but cumulatively considerable.

- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The project will not cause substantial adverse effects on human beings, either directly or indirectly.

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D).

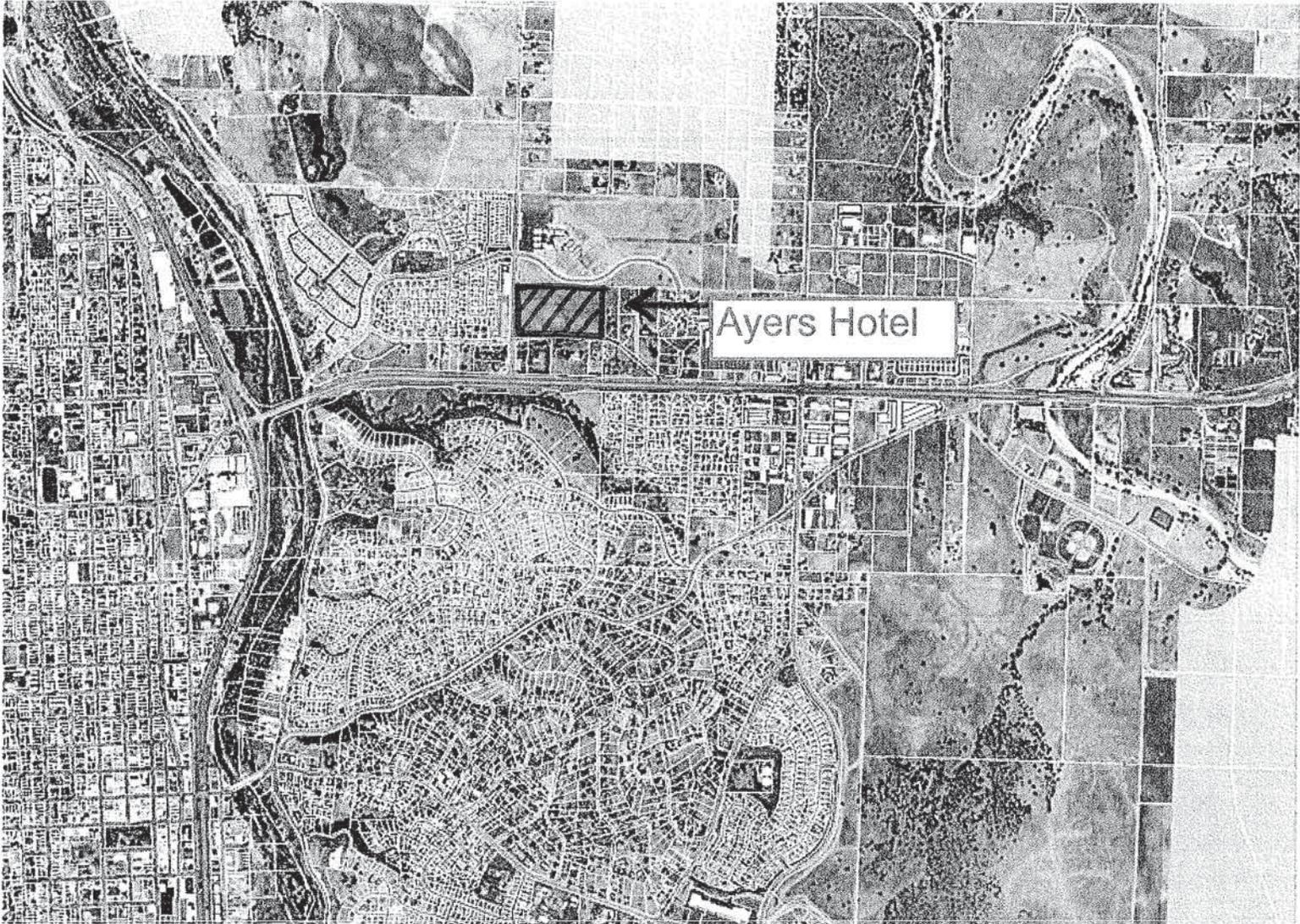
Earlier Documents Prepared and Utilized in this Analysis and Background / Explanatory Materials

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	2005 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Urban Water Management Plan 2005	Same as above
8	City of Paso Robles Sewer Master Plan	Same as above
9	City of Paso Robles Housing Element	Same as above
10	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
11	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
12	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
13	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446

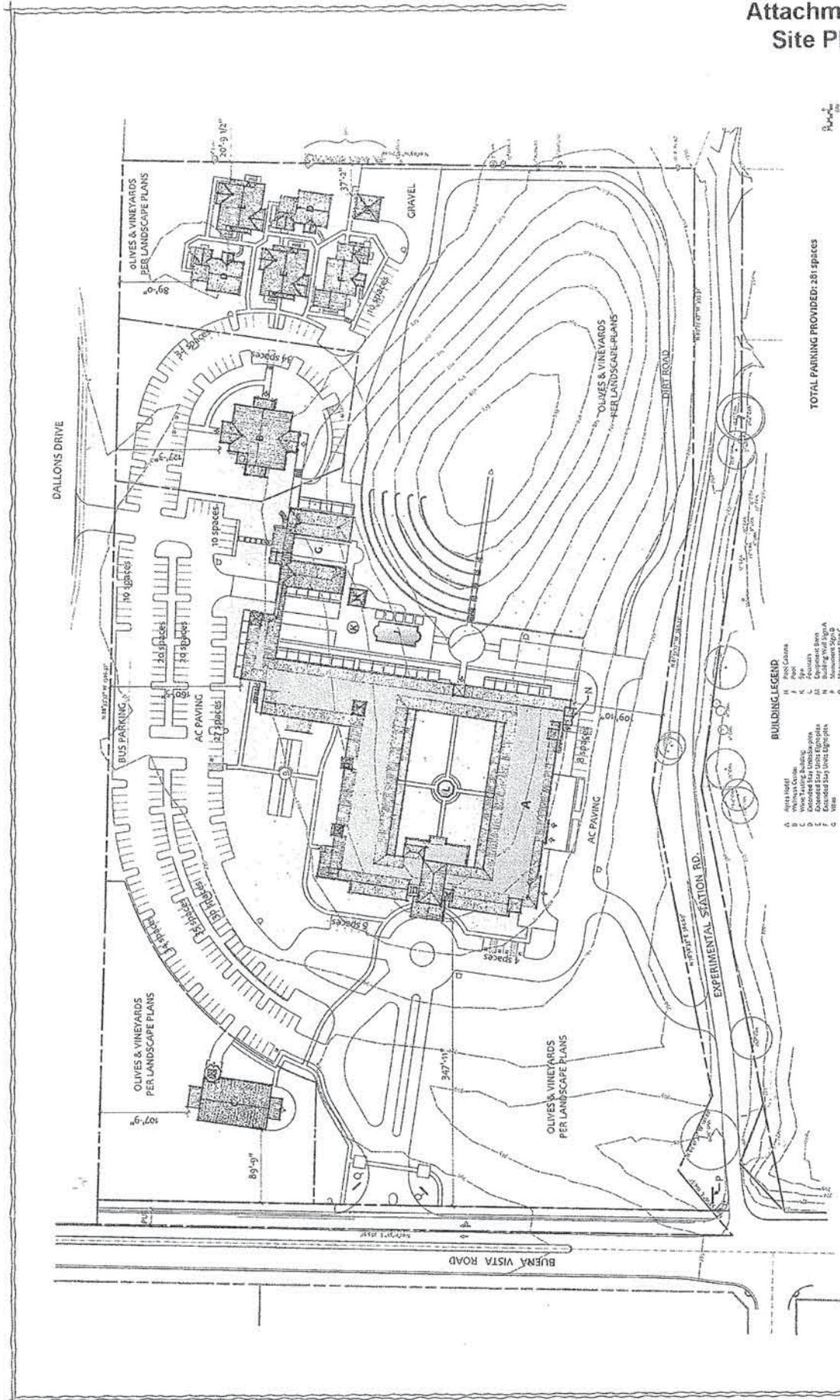
Attachments:

- 1. Vicinity Map**
- 2. Site Plan**
- 3. Mitigation Measure Summary**
- 4. Air Quality and GHG Assessment (On-file in Community Development Department)**
- 5. San Joaquin Kit Fox Evaluation (On-file in Community Development Department)**
- 6. Arborist Report (On-file in Community Development Department)**
- 7. Traffic Study (On-file in Community Development Department)**

Attachment 1
Vicinity Map



Attachment 2 Site Plan



TOTAL PARKING PROVIDED: 281 spaces

BUILDING LEGEND

- A. Olive & Vineyard
- B. Olive & Vineyard
- C. Olive & Vineyard
- D. Olive & Vineyard
- E. Olive & Vineyard
- F. Olive & Vineyard
- G. Olive & Vineyard
- H. Olive & Vineyard
- I. Olive & Vineyard
- J. Olive & Vineyard
- K. Olive & Vineyard
- L. Olive & Vineyard
- M. Olive & Vineyard
- N. Olive & Vineyard
- O. Olive & Vineyard
- P. Olive & Vineyard
- Q. Olive & Vineyard

DATE	11/11/2011
SCALE	AS SHOWN
DRAWN BY	...
CHECKED BY	...
DATE	...
SCALE	...
DRAWN BY	...
CHECKED BY	...
DATE	...
SCALE	...
DRAWN BY	...
CHECKED BY	...
DATE	...
SCALE	...
DRAWN BY	...
CHECKED BY	...



Architectural Site Plan

AYRES RESORT & SPA
 BY AYRES HOTEL
 Buena Vista Road
 Paso Robles, California

Steven Puglisi
 ARCHITECTURE
 250 Dana Street, San Luis Obispo, CA 93101
 Phone: 805.595.1962 Fax: 805.595.1980



Mitigation Measures Summary

Mitigation Measures

Air Quality:

MM AQ-1 The standard mitigation measures for reducing nitrogen oxides (NO_x), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment are listed below (SLOCAPCD 2009):

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b. Fuel all off-road and portable diesel powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c. Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation (CCR Title 13, Article 4.8, Chapter 9, Section 2449);
- d. Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation (CCR Title 13, Article 4.8, Chapter 9, Section 2449);
- e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NO_x exempt area fleets) may be eligible by proving alternative compliance;
- f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
- g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- i. Electrify equipment when feasible;
- j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.
- l. In addition to the above SLOCAPCD recommended mitigation measures, the following additional mitigation measures shall also be implemented:
- m. To the extent practical, reuse and recycle construction waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard.
- n. If site preparation and grading activities are to occur during the same calendar quarter, a minimum of ten percent of diesel-powered heavy-duty (i.e., 50 hp or greater) offroad equipment shall meet CARB's Tier 3, or cleaner, certified engine standards.

Biological Resources:

BR-1: Within one week of ground disturbance activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the project site and nest locations shall be included with the report.

BR-2 Occupied burrows or nests of special status species shall be mapped using GPS or survey equipment. Work shall not be allowed within 100 foot buffer while nests are in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.

BR-3 Occupied burrows or nests of special status bird species that are within 100 feet of project work areas shall be monitored at least every two weeks through the nesting season to document nest success and check for project compliance with buffer zones. Once burrows or nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work may commence in those areas.

BR-4 Silvery legless lizards, a special status species, could potentially be present in construction areas. Pre-construction surveys for silvery legless lizards shall be conducted prior to primary grubbing and other construction activities that affect undisturbed habitat. If no special status species are found, construction activities may begin immediately. If a silvery legless lizard is found, a qualified biologist shall move them to the nearest safe location. The biologist shall have the authority to stop work if special status species are found in the project area during construction.

BR-5 A pre-construction survey shall be conducted within 30 days of beginning construction work on a portion of the Project site to identify if badgers are present. The results of the survey shall be sent to the Project manager and lead agency.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover all Project areas included in the respective construction phase, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens between February and July, nursing young may be present. To avoid disturbance and the possibility of direct loss of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February 1 and July 1. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are active and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the Project site during the pre-construction survey, and are not raising young, they may be encouraged to vacate the den by a qualified biologist. If measures such as partially blocking den entrances do not result in the badger moving, badgers may be live trapped and moved to save locations.

BR-6 Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles Planning Department, (City) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 40 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.) requires that all aspects of this program must be in place before City permit issuance or initiation of any ground disturbing activities.

b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total **\$100,000**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.

- c. Purchase 40 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$100,000. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

BR-7 Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

- i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- ii. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-19 through BR-26. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-19iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- iii. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project

activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

iv. In addition, the qualified biologist shall implement the following measures:

1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:

- Potential kit fox den: 50 feet
- Known or active kit fox den: 100 feet
- Kit fox pupping den: 150 feet

2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.

3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.

BR-8 Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: "Speed signs of 25 mph (of lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox." Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.

BR-9 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.

BR-10 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. SJKF). At a minimum, as the program relates to the kit fox, the training shall include all mitigation measures specified by the City, as well as any related biological reports(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

BR-11 During the site-disturbance and/or construction phase, to prevent entrapment of the SJKF, all excavations, steep-walled holes and trenches in excess of 2 feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each day. Before such holes or trenches are filled, they shall be inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

BR-12 During the sit disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project sit shall be thoroughly inspected for trapped SJKF before the subject pipe is subsequently buried, capped, or otherwise used or

moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.

BR-13 During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, can, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract SJKF onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

BR-14 Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and depletion of prey upon which SJKF depend.

BR-15 During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a SJKF or who finds such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and the City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFG by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFG for care, analysis or disposition.

BR-16 Prior to final inspection should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
- If a more solid wire mesh fence is used, 8"x12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the City to verify proper installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

GHG Mitigations

MM GHG-1: The project applicant shall coordinate with the City of Paso Robles and the SLOAPCD to identify and implement GHG-reduction measures sufficient to reduce operational GHG emissions to below the SLOAPCD's significance threshold of 1,150 MTCO₂e/year. GHG-reduction measures may include, but are not limited to, implementation of measures that would reduce energy use, water use, and motor vehicle trips. Examples of measures to be implemented are included in the Air Quality & Greenhouse Gas Impact Assessment, Appendix B. If the project does not implement sufficient adopted GHG reduction measures to reduce the emissions below the GHG threshold, the applicant shall pay off-site mitigation fees at the rate established by SLOAPCD to fund local GHG reduction projects subject to approval by the City of Paso Robles.

Mitigation Monitoring and Reporting Plan

Project File No./Name: PD 12-001, CUP 12-003 – Ayres Paso Robles, Ltd.

Approving Resolution No.:

Date: June 26, 2012

The following environmental Mitigation Measures were either incorporated into the approved plans or were incorporated into the Conditions of Approval. Each and every Mitigation Measure listed below has been found by the approving body to lessen the level of environmental impact of the project to a less than significant level. A completed and signed checklist for each mitigation measure indicates that it has been completed.

See attached Mitigation Summary Table for Mitigation Measure Descriptions.

Mitigation Measure	Type	Monitoring Dept or Agency	Shown on Plans	Verified Implementation	Remarks
AQ-1	Project	Planning Division, Building Division			
AQ-2	Project	Planning Division, Building Division			
AQ-3	Project	Planning Division, Building Division			
AQ-4	Project	Planning Division, Building Division			
AQ-5	Project	Planning Division, Building Division			
BR-1	Project	Planning Division			
BR-2	Project	Planning Division			
BR-3	Project	Planning Division			
BR-4	Project	Planning Division			
BR-5	Project	Planning Division			
BR-6	Project	Planning Division			
BR-7	Project	Planning Division			
BR-8	Project	Planning Division			
BR-9	Project	Planning Division			
BR-10	Project	Planning Division			
BR-11	Project	Planning Division			
BR-12	Project	Planning Division			
BR-13	Project	Planning Division			
BR-14	Project	Planning Division			
BR-15	Project	Planning Division			
BR-16	On-going	Planning Division			
GHG-1	Project	Planning Division			
Eng. Cond. No. 15	Project	Planning Division			

Explanation of Headings:

Type	Project, ongoing, cumulative
Monitoring Dept. or Agency	Dept or Agency responsible for monitoring a particular MM
Shown on Plans	When a MM is shown on the plans, this column will be initialed & dated
Verified Implementation	When a MM has been implemented, this column will be initial & dated
Remarks	Area for describing status of ongoing MM, or other information



Air Pollution Control District
San Luis Obispo County

June 19, 2012

Susan DeCarli
City of Paso Robles Community Development Dept.
1000 Spring Street
Paso Robles CA 93446

SUBJECT: APCD Comments Regarding the Ayres Hotel Environmental Initial Study

Dear Mrs. DeCarli,

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project located north and east of the Buena Vista Drive and Experimental Station Road intersection in Paso Robles. This is a proposal to amend the existing land use designation and rezone the property to parks and open space with a resort lodging overlay. Implementing the project would establish a 225 room resort hotel with a wellness/spa facility, conference room, restaurant, extended-stay units, wine tasting/retail boutique, and ancillary parking, landscaping, gardens, orchards and vineyards. *The following are APCD comments that are pertinent to this project.*

GENERAL COMMENTS

The APCD appreciates having the opportunity to work with the city and the project applicant early in the review process to initiate the air quality evaluation and identify applicable air quality mitigation. As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

Construction Phase Mitigation

Dust Control Measures

It appears that the Environmental Initial Study did not include the review of one of the fugitive dust significance thresholds from Table 2-1 of the 2012 Air Quality Handbook. The table notes that projects with grading areas greater than 4.0 acres of worked area can exceed the 2.5 tons of particulate matter (PM₁₀) quarterly threshold. In addition, the project is in close proximity to nearby sensitive receptors (Cuesta College and adjacent residences). **Therefore, please add the following to the project's construction phase air quality mitigation:**

Attachment C
APCD Letter dated June 19, 2012
PD 12-001 et al
(Ayres, Ltd.)

Projects with grading areas that are greater than 4-acres or are within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and do not impact off-site areas prompting nuisance violations (APCD Rule 402):

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock pile areas should be sprayed daily as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
- l. All PM₁₀ mitigation measures required should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Construction Phase Idling Limitations

Again, this project is in close proximity to nearby sensitive receptors (Cuesta College and adjacent residences). Projects that will have diesel powered construction activity in close proximity to any sensitive receptor shall implement the following mitigation measures to ensure that public health benefits are realized by reducing toxic risk from diesel emissions:

To help reduce sensitive receptor emissions impact of diesel vehicles and equipment used to construct the project, the applicant shall implement the following idling control techniques:

1. California Diesel Idling Regulations

- a. **On-road diesel vehicles** shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 1. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 2. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
- b. **Off-road diesel equipment** shall comply with the 5 minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use off-Road Diesel regulation.
- c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state's 5 minute idling limit.
- d. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: www.arb.ca.gov/msprog/truck-idling/2485.pdf and www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.

AND

2. Diesel Idling Restrictions Near Sensitive Receptors (i.e. the adjacent residential dwelling units)
In addition to the State required diesel idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:
 - a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
 - b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
 - c. Use of alternative fueled equipment is recommended; and
 - d. Signs that specify the no idling areas must be posted and enforced at the site.

Truck Routing

Any proposed construction truck routes should be evaluated and selected to ensure routing patterns have the least impact to residential dwellings and other sensitive receptors, such as schools, parks, day care centers, nursing homes, and hospitals. If the project has significant truck trips where hauling/truck trips are routine activity and operate in close proximity to sensitive receptors, toxic risk needs to be evaluated.

Construction Mitigation Efficacy

The Initial Study completed an analysis of potential construction phase emission impacts based on default settings in the CalEEMod model for building the project. The results demonstrated that the project could exceed the quarterly ozone precursor threshold of 2.5 tons of reactive organic gases and nitrogen oxides per quarter. **Prior to the issuance of grading permits, the applicant will need to demonstrate through updated modeling that the actual construction fleet that is secured will not exceed the construction phase thresholds when the construction mitigation is implemented. Should the actual fleet exceed any threshold, then phasing changes or other**

mitigation shall need to be proposed and approved by the APCD such that the project will be below the construction phase air quality thresholds of significance.

Operational Phase Impacts

The APCD reviewed the modeling assumptions used in the CalEEMod modeling of the project's operational phase. An appropriate project specific modification to the CalEEMod defaults was the use of hotel trip rates for hotels/motels in this area of Paso Robles from the City's General Plan Circulation Element Update (2009). **Based on the APCD's review of the air quality modeling for the project's Initial Study, the following changes are needed:**

1. **Worst Case Evaluation:** The California Environmental Quality Act requires that projects be evaluated under a reasonable worst case scenario. Air quality impacts under worst case conditions need to be compared to that APCD's significance threshold, and if threshold exceedences are demonstrated, mitigation needs to be defined to reduce the impacts to a level of insignificance. The APCD considers a reasonable worst case for hotels to be 100% occupancy. The air quality modeling for this project was based on an assumption of 70% occupancy. It should be noted that this 70% assumption was not applied only to the "inbound and outbound" patron trips with the remaining patron trips being roughly based on 100% occupancy. **To finalize the air quality assessment, please ensure that the project impacts are modeled based on 100% occupancy and adjust mitigation if needed.**
2. **Justification for San Francisco and Los Angeles Patron Makeup:** One of the assumptions made in the air quality impact evaluation was that the patron make up for the hotel would be 10% from the north Central Valley, 10% from the south Central Valley, 60% from the Monterey/Bay Area, and 20% from the Los Angeles metropolitan area. **Please provide justification for the above assumed percentages or provide justification of an alternative set of percentages.**
3. **2020 GHG vs. GHG at Time of Buildout:** Like Tables 7 and 10 that list criteria pollutant impacts for the two anticipated operational phases of the project (Phases 1 & 2 combined and Phase 3 later), Table 15 for greenhouse gas (GHG) impacts need to be presented for both phases. **Prior to the city authorizing occupancy associated with, the APCD looks forward to working with the city and the project applicant to finalize the applicable mitigation to bring the project GHG impacts to a level of insignificance.**

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-5912.

Sincerely,


Andy Mutziger
Air Quality Specialist

AJM/arr

cc: Doug Ayers

h:\plan\ceqa\project_review\3000\3700\3714-1\3714-1.docx

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROVING GENERAL PLAN AMENDMENT 12-001
MODIFYING THE GENERAL PLAN DESIGNATION OF
PROPERTY LOCATED AT THE NORTHEAST CORNER OF BUENA VISTA DRIVE AND
EXPERIMENTAL STATION ROAD
FROM RESIDENTIAL MULTI-FAMILY (R2) TO
PARKS AND OPEN SPACE (POS-R/L) WITH RESORT/LODGING OVERLAY
APPLICANT – AYRES PASO ROBLES, LTD
(APN 025-391-014)

WHEREAS, an application to amend the Land Use Map was filed as General Plan Amendment 12-001, to amend the General Plan Land Use Map; and

WHEREAS, the property is located north east corner of Buena Vista Drive and Experimental Station Road, as shown in Exhibit A, and the applicant is the property owner Ayres Paso Robles, LTD; and

WHEREAS, the current Land Use designation of the subject property is Residential Multi-Family, 8-units to the acre (RMF-8); and

WHEREAS, General Plan Amendment 12-001 proposes to amend the land use designation from RMF-8 to Parks & Open Space with Resort/Lodging Overlay (POS-R/L); and

WHEREAS, at its meeting on June 26, 2012, the Planning Commission took the following actions:

- a. Considered the facts and analysis, as presented in the staff reports prepared for this amendment;
- b. Conducted public hearings to obtain public testimony on the parts of this amendment;
- c. Considered public testimony from all parties;
- d. Based on the information contained in the staff report and the Initial Study, the Planning Commission recommended the City Council approve the proposed amendment indicating the proposed amendment to the General Plan would be appropriate for this property.

WHEREAS, at its meeting of July 17, 2012, the City Council took the following actions:

- a. Considered the facts and analysis, as presented in the staff reports prepared for this amendment, including the recommendations of the Planning Commission;
- b. Conducted a public hearing to obtain public testimony on this amendment;
- c. Based on its independent judgment, found that there was no substantial evidence that this amendment would have significant adverse effect on the environment and approved a Mitigated Negative Declaration for this General Plan amendment in accordance with the

California Environmental Quality Act;

- d. Based on its independent judgment, found that the proposed General Plan Amendment 12-001 which would amend the land use designation of this property to POS-R/L, as shown on Exhibit A, would be consistent with goals and policies of the General Plan by providing additional tourist-oriented and recreational opportunities, and would be an appropriate land use designation for this property.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles, California, finds that the amendment to the General Plan Land Use Element Map is compatible with the surrounding land uses in the vicinity. The City Council also finds that the proposed amendment would support implementation of the 2006 Economic Strategy.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of July, 2012 by the following vote:

AYES:

NOES:

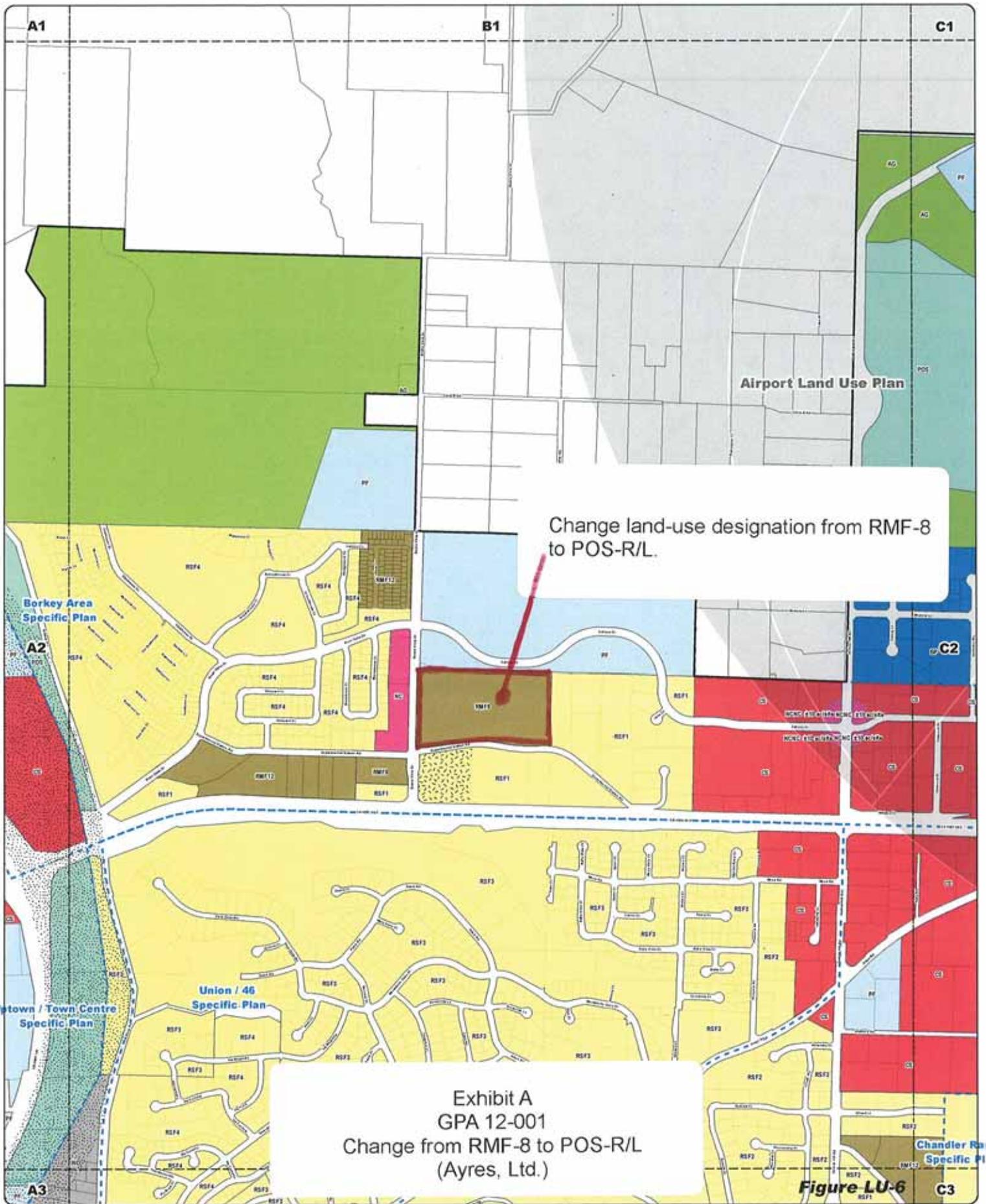
ABSTAIN:

ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk



LEGEND

- | | | | | | |
|---------------------------|--------------------------|------------------------------|---------------------------------|-----------------------|---------------|
| AG - Agriculture | DC - Downtown Commercial | NC - Neighborhood Commercial | RC - Regional Commercial | Resort Lodging | Agriculture |
| BP - Business Park | IND - Industrial | CP - Office / Professional | RMF - Residential Multi Family | Airport LUP | Mixed Use |
| CC - Community Commercial | MHP - Mobile Home Park | PP - Public Facilities | RS - Residential Suburban | Historic Preservation | Galinas River |
| CS - Commercial Service | MU - Mixed Use | POS - Parks / Open Space | RSF - Residential Single Family | Office Professional | |



ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE BORKEY AREA SPECIFIC PLAN AND THE ZONING MAP ESTABLISHED
BY REFERENCE IN SECTION 21.12.020 OF THE ZONING CODE (TITLE 21)
(AYRES PASO ROBLES)

WHEREAS, Doug Ayres on behalf of Ayres Paso Robles, LTD., has submitted Rezone 12-001, a proposal to change the zoning designation of the 20-acre site from Residential Multi-Family, duplex/tri-plex (R2) to Parks and Open Space (POS) with Resort/Lodging Overlay (R/L); and

WHEREAS, the site is located on the north east corner of Buena Vista Drive and Experimental Station Road; and

WHEREAS, the site is located with Sub Area D of the Borkey Area Specific Plan; and

WHEREAS, the Specific Plan amendment is necessary to revise the plan to reflect the change in the General Plan and Zoning designations for the site; and

WHEREAS, Borkey Area Specific Plan Amendment 12-001 has been submitted to change various areas within the plan, such as development standards and maps; and

WHEREAS, at a meeting held on June 26, 2012, the Planning Commission took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Held a public hearing to obtain public testimony on the proposed ordinance;
- c. Recommended that the City Council approve the proposed ordinance; and

WHEREAS, based on information received at its meeting on July 17, 2012 the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Held a public hearing to obtain public testimony on the proposed ordinance;
- c. Considered the Planning Commission's recommendation from its June 26, 2012 public meeting;
- d. Introduced said ordinance for the first reading; and

WHEREAS, on August 7, 2012 the City Council held a second reading of said ordinance.
NOW, THEREFORE, the City Council of the City of El Paso de Robles does hereby ordain as follows:

The Borkey Area Specific Plan will be amended as described below in Sections 1-7, by a map change as noted, or by text change, where the text to be omitted is shown with a "strike through" and the text to be added sin shown in **bold**:

SECTION 1:

Section II, Page 8 (Proposed City General Plan Designations - Map) would be amended as shown on Exhibit A.

SECTION 2:

Section II, Page 9 (Proposed City Zoning Designations - Map) would be amended as shown on Exhibit B.

SECTION 3:

Section III, Page 6, Table 3-1, (Prescribed Land Uses and Permitted Densities, Parcel Sizes) would be amended as shown on Exhibit C.

SECTION 4:

Amend Section III, Page 10 as follows:

Subarea D

Designation by this plan of Subarea D for rural residential development is intended to protect and continue the existing pattern of rural residences already established in the area.

Extending current development characteristics, this subarea would allow the ultimate development of a maximum of sixty-three rural residential units on one-acre minimum lots and fifteen single family residential units on a minimum of one-half acre lots. Except for the northeasterly portion of this subarea, extensive parcelization and associated rural residential development has already occurred. The existing commercial operation established at the northwest corner of Buena Vista Road and Highway 46 will be allowed to remain in place in this subarea as a legal use, under the conditional use permit currently applicable to the property. ~~The 22 acre Cop parcel has a Resort/Lodging Overlay and is designated for mixed land use, which includes a hotel/spa, restaurant, bakery, employee housing, classrooms, and residential uses varying from 1/2 acre to 1 acre parcels. Future improvements in Subarea D would be made in conformance with rural standards.~~ **The 20 acre Ayres Resort parcel has a Parks and Open Space Zone, with a Resort/Lodging Overlay, and has an approved project consisting of 225 room Resort Hotel, with a wellness spa, conference room, restaurant, extended-stay units (included with the 225 rooms proposed), wine**

tasting/retail boutique, and ancillary parking, landscaping, gardens, orchards and vineyards.

The primary traffic circulation route serving Subarea D will continue to be Experimental Station Road, which will function solely as a rural local street. Limited additional local street extensions may be required to access future development in this subarea, as well. The planned development for the ~~22-acre Cop~~ **20 acre Ayres** parcel will have a local road servicing the site with one connection point on Buena Vista Road and the other on Experimental Station Road. There will be no access from Dallons Drive.

This plan provides that a minimum separation be maintained between residential improvements and the State highway right-of-way in Subarea D (see discussion of design standards later in this chapter). This setback is intended to protect current and future residents from excessive traffic-generated noise exposure and to preserve the rural, open character of this westbound entrance into the community.

SECTION 5: Section III, Page 11a, Figure D-3, (Sub Area D) would be amended as shown on Exhibit D.

SECTION 6: Amend Section III, Page 20 as follows:

D-6 A Shared Parking Analysis may be used to determine the total number of parking spaces required for the ~~Bastide Village~~ **Ayres Resort Project** rather than relying on the summation of the requirements for each of the individual land uses. The Analysis will provide credit for the mixed use project by acknowledging the overall percentage reduction in required parking that is warranted based on the finding that visitors are likely to use one or more of the available facilities and commercial services. The number of parking spaces for the ~~Bastide Village Project~~ **Ayres Hotel Project** is subject to review and approval of the DRC as part of the Final Development Plan process.

D-7 For the property located at the northeast corner of Highway 46 East and Buena Vista Drive, where the **Parks and Open Space Zone, with Resort/Lodging Overlay** has been applied by Rezone ~~03-007 12-001, Ordinance 871 N.S.~~, all applicable conditions within Subarea E shall apply, since a resort project would be closely related to commercial projects within Subarea E.

SECTION 7: Amend Section III, Page 55 as follows:

~~SD 4 The minimum frontage for residential parcels within the 22-acre Cop parcel shall be one hundred (100) feet, except that a lesser frontage may be approved for lots located at the ends of cul-de-sac streets, through approval of a planned development.~~

~~SD-5 A fencing plan, complete with details (including fence heights) shall be submitted to the Development Review Committee for review and approval prior to issuance of building permits for all lots within the 22 acre Cop parcel. The City shall require that fence style and construction be consistent for all affected lots within the planned development.~~

SECTION 8. Amend Figure 17a (Page III-25a) to replace the street section for Experimental Station Road as shown on Exhibit D.

SECTION 9. Section 21.12.020 of the Municipal Code (Zoning Map) is hereby amended as shown on the attached Exhibit E.

SECTION 10. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 11. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 12. Inconsistency. To the extent that the terms or provisions of this ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof, such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

Introduced at a regular meeting of the City Council held on July 17, 2012, and passed and adopted by the City Council of the City of El Paso de Robles on the 7th day of August, 7, 2012 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

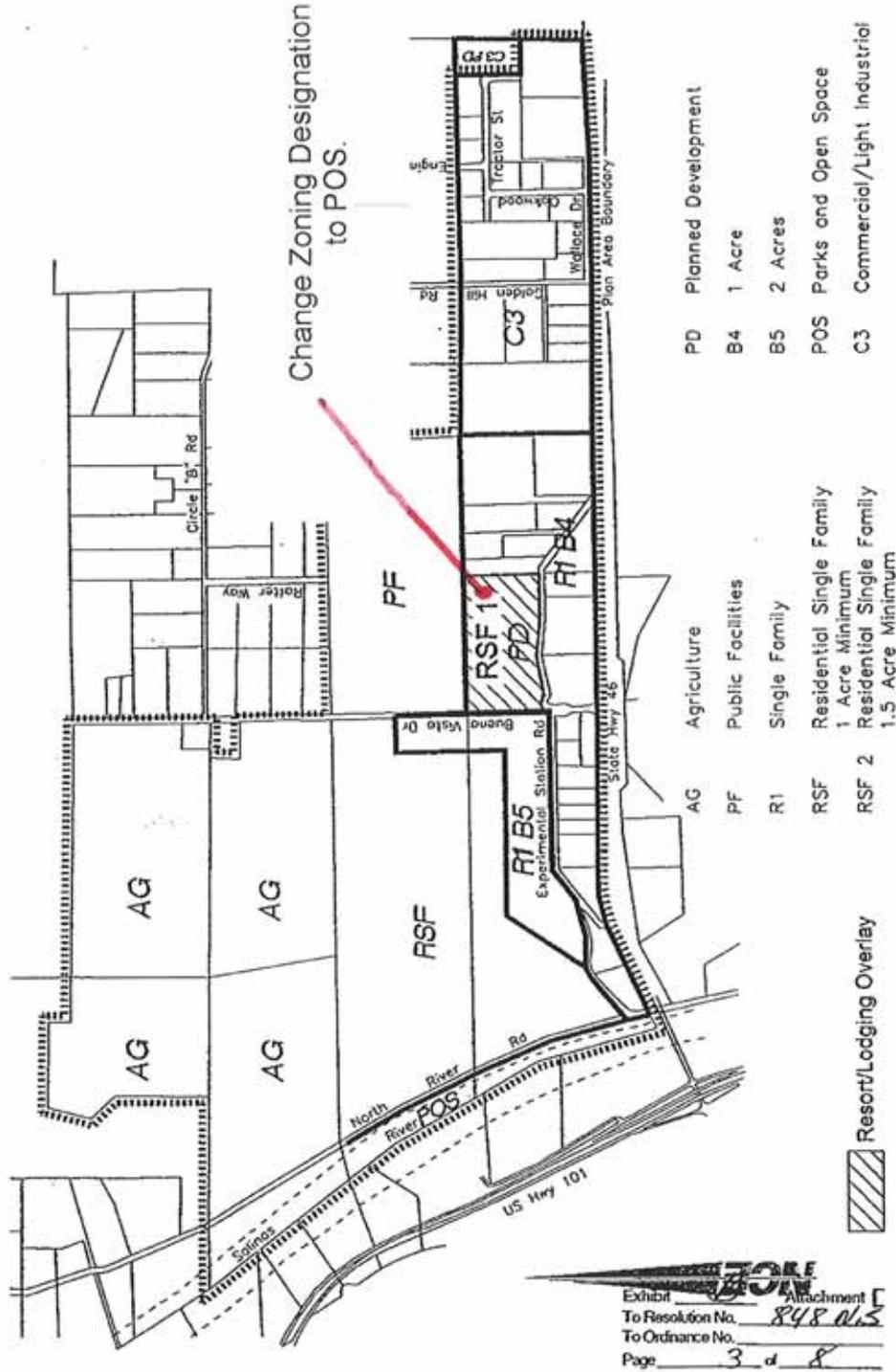


Exhibit Attachment
 To Resolution No. 848 015
 To Ordinance No. _____
 Page 3 of 8

Proposed City Zoning Designations

D-2

Exhibit B
 BASP Zoning Use Map
 (Ayres, Ltd.)

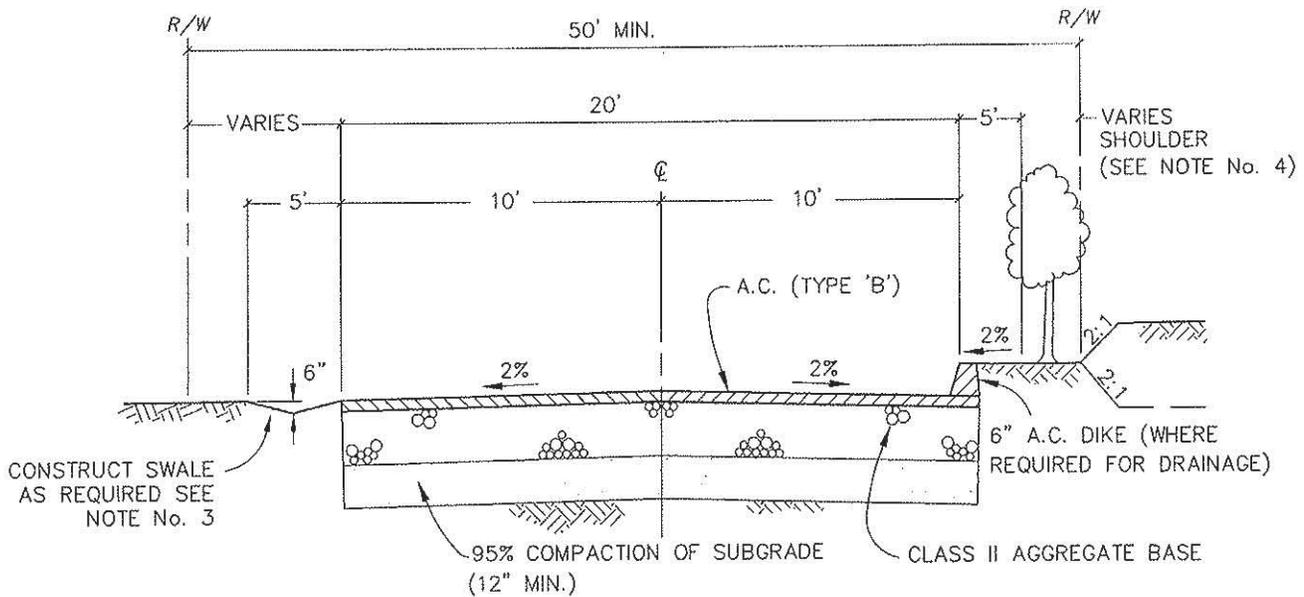
Revised October, 2002 by North Coast Engineering



**TABLE 3-1
PRESCRIBED LAND USES
AND PERMITTED DENSITIES, PARCEL SIZES
BORKEY AREA SPECIFIC PLAN**

Plan Subarea	Permitted Uses	Maximum Development Intensity	Minimum Lot Size
A	Agricultural and Resort Related Recreational: Tennis courts Water gardens Golf greens & tees Driving range Putting green Corn maze Equestrian Center: Show arena Training facilities Stables Hot springs and spa Hotel and conference	223 hotel rooms, suites or cottages, 20 employee housing units 10,000 sq ft restaurant(s) 600 person capacity conference and/or banquet rooms 1200 person capacity amphitheatre and/or events assembly areas	20 acres
B	Single Family Residential	481 units total* *multiple family inclusive in sub area total	5,000- 20,000 s.f.
	Multiple Family	Up to 149 units	14.0 acres (overall)
	Public & Quasi-Public	(N/A)	
	Commercial	CP (Neighborhood Commercial) CS (Commercial Service)	6.0 acres (overall) 4.5 acres (overall)
C	Cuesta College (Public Facility)	(N/A)	(N/A)
	D Rural Residential Single Family Residential Resort/Lodging Overlay POS R/L Overlay	52 units 15 units 80 units + amenities 225 units + amenities	1.0 acres 0.5 acres 20 acres
E	Commercial/Industrial	C-3	(N/A)
F	Public & Quasi-Public	(N/A)	(N/A)

Exhibit C
BASP Table 3-1
(Ayres, Ltd.)



20' LOCAL RURAL STREET

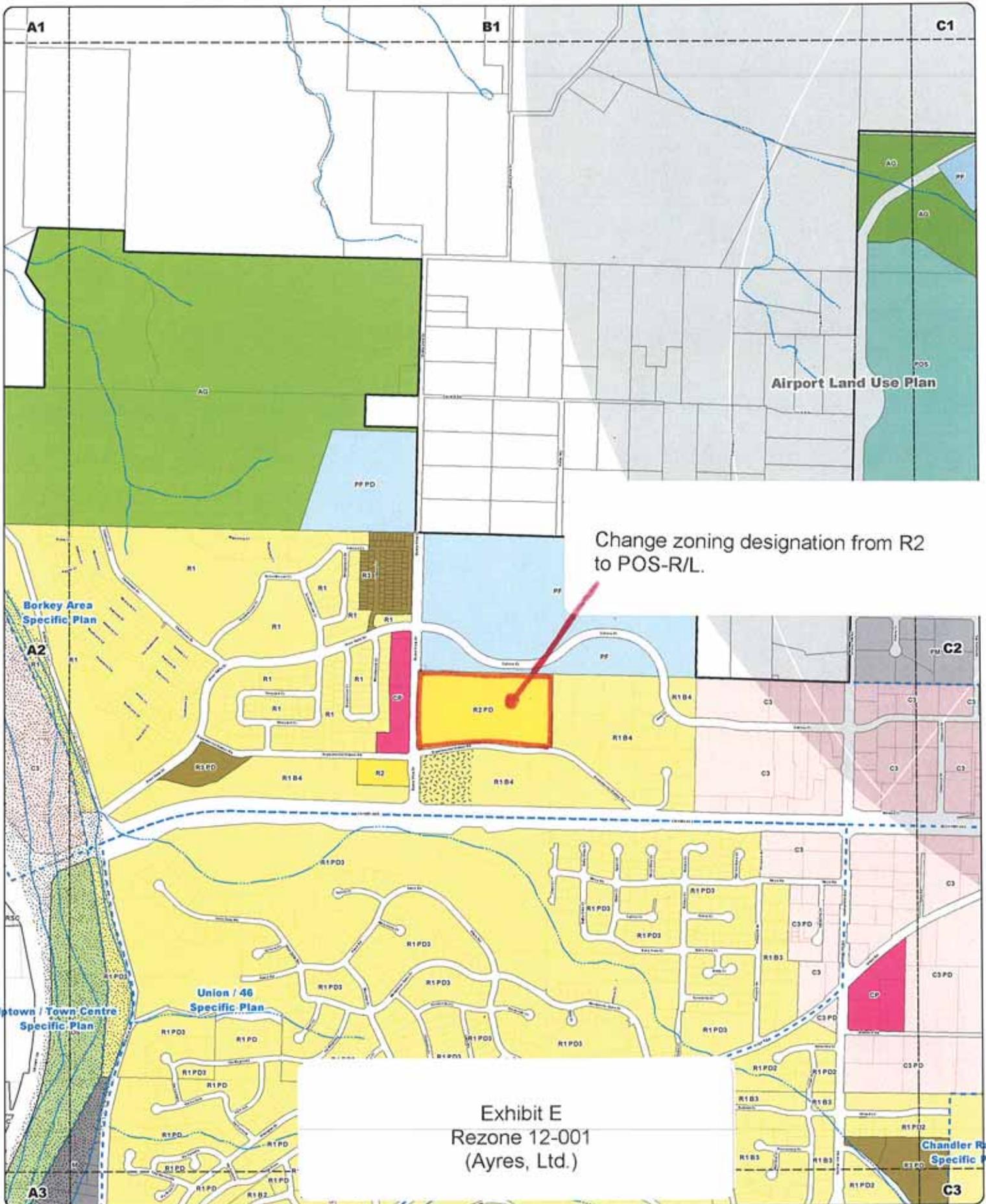
TRAFFIC INDEX: 5.0
DESIGN SPEED: 25.0 MPH

NOTES:

1. COLLECTOR AND ARTERIAL STREETS IN RURAL AREAS SHALL BE CONSTRUCTED TO THE SAME STANDARDS AS OTHER AREAS IN THE CITY.
2. USE OF THIS STANDARD IN RURAL AREAS MUST BE APPROVED BY THE PLANNING COMMISSION, AND/OR THE CITY COUNCIL. TYPICALLY ONLY THOSE AREAS WHICH ARE ZONED R1, B3, B4, POS OR B5 R-A WILL BE ALLOWED TO USE THIS SECTION.
3. A STORM DRAIN SHALL BE CONSTRUCTED WHEN LONGITUDINAL FLOW EXCEEDS CAPACITY OF THE MAXIMUM DITCH WHICH CAN BE CONSTRUCTED ENTIRELY WITHIN THE STREET RIGHT-OF-WAY.
4. 5 FOOT SHOULDER AREA MUST BE AGGREGATE BASE COMPACTED 95%. SHOULDER MAY BE REDUCED WHERE AC DIKE IS REQUIRED OR AS DIRECTED BY CITY ENGINEER DUE TO TOPOGRAPHIC OR OAK TREE CONSTRAINTS.

Exhibit D
Experimental Station Road - Figure 17a
(Ayres, Ltd.)

EXHIBIT A



Change zoning designation from R2 to POS-R/L.

Exhibit E
Rezone 12-001
(Ayres, Ltd.)

Map B2 05.03.2011
City of El Paso de Robles
Zoning Designations



LEGEND

City Limit	AG, Agriculture	M, Industrial	R2, Residential Duplex/Triplex	RM5, Residential Multifamily	T-3F, Flex
Specific Plan	AP, Airport	OP, Office Professional	R3, Residential Multifamily	RA, Residential Agriculture	T-3N, Neighborhood
Sphere of Influence	C, Civic	OS, Open Space	R10, Residential Multifamily	RC, Regional Commercial	T-4F, Flex
SPRR	PF, Public Facilities	PM, Planned Industrial	R15, Residential Multifamily	RMPB, Residential Multifamily	T-4N, Neighborhood
USGS Creek	CH, Commercial Highway	POSO, Planned Open Space	R20, Residential Multifamily/Office	RS, Residential Suburban	T-4NC, Neighborhood Center
FEMA Floodway	C3, Commercial Light Industry	POS, Parks & Open Space	RM, Residential Multifamily/Office	RSC, Riverside Corridor	TC-1, Town Center
	C1, Commercial General Retail		R30, Residential Multifamily/Office	RSC, Riverside Corridor	TC-2, Town Center
	C2, Commercial Light Industry		R35, Residential Multifamily/Office		
	C3, Commercial Light Industry				



RESOLUTION NO.:

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
APPROVING PLANNED DEVELOPMENT 12-001
& CONDITIONAL USE PERMIT 12-003
(Ayres Paso Robles, LTD.)
APN: 025-391-014

WHEREAS, PD 12-001 & CUP 12-003 have been submitted by Doug Ayres on behalf of Ayres Paso Robles, LTD. to establish a 225 room resort hotel; and

WHEREAS, the resort would also include a wellness/spa facility, conference room, restaurant, extended stay units (included in the 225 rooms proposed), wine tasting/retail boutique, and ancillary parking, gardens, orchards and vineyards; and

WHEREAS, the project is proposed to be located on the 20-acre site at the northeast corner of Buena Vista Drive and Experimental Station Road; and

WHEREAS, the project entitlements needed to establish the project include the following:

General Plan Amendment: to change the existing RMF-8 (Residential Multi-Family, 8-units per acre) to Parks and Open Space (POS) with a Resort Lodging Overlay (R/L) land use designation;

Rezone: to change the existing R2 (Residential Multi-Family duplex/triplex) zoning designation to Parks and Open Space (POS) with a Resort Lodging Overlay (R/L) zoning;

Specific Plan Amendment: to amend the Borkey Area Specific Plan to allow for the project that introduces a different land use than originally proposed by the plan and adopt a new rural street standard for Experimental Station Road; and

Development Plan: development plan to review the project site planning, architectural design and details, mixture of land uses, and landscaping;

Conditional Use Permit: to allow for resort hotels in the POS zoning district, and to exceed the applicable height limitations;

Tentative Parcel Map: requested by the applicant to create separate parcels for the wine tasting retail building and the wellness center from the resort hotel parcel;

Street Abandonment: request to abandon an unused portion of Experimental Station Road, at its intersection with Buena Vista Drive.

WHEREAS, a public hearing was conducted by the Planning Commission on June 26, 2012, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed Development Plan, Conditional Use Permit, General Plan Amendment, Rezone, Specific Plan Amendment, Tentative Parcel Map, and associated Mitigated Negative Declaration; and

WHEREAS, on June 26, 2012, the Planning Commission recommended that the City Council approve the PD 12-001, and CUP 12-003, and associated Mitigated Negative Declaration with changes to Conditions 1, 11 & 15 as noted in this resolution; and

WHEREAS, a public hearing was conducted by the City Council on July 17, 2012, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed development plan, rezone and associated Mitigated Negative Declaration; and

WHEREAS, a resolution was adopted by the City Council approving a Mitigated Negative Declaration status for this project, and a Mitigated Negative Declaration was prepared for the proposed Planned Development and Rezone applications in accordance with the California Environmental Quality Act; 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 City Council makes the following findings:

Section 1. Findings

In accordance with Sections 21.23.250 and 21.23B.050 of the Zoning Code, based on facts and analysis set forth in the staff report for this item, and taking into consideration comments received from the public and/or other governmental agencies having purview in the subject development plan and conditional use permit applications, the City Council hereby makes the following findings:

- a. The design and intensity (density of the proposed development is consistent with the following):
 1. The goals and policies established by the General Plan;
 - a. *With the approval of the General Plan Amendment, the project site will be located in the Parks and Open Space Land Use Category. The purpose of this land use category includes provision of sites for recreation and resort uses.*
 - b. *The project is designed to maximize protection of oaks and biological resources as called for in Policies C-3A and C-3B of the Conservation Element. No oak trees are proposed to be removed with this project, Additionally, Condition #BR-6 of Resolution _____requires mitigation of impacts to Kit Fox habitat.*
 - c. *Condition # 11, will require construction of pedestrian paths (sidewalks) and Condition # AQ-1 requires incorporation of air quality mitigation measures, which will implement Policies C-2-B and C-2C of the Conservation Element.*
 2. The policies and development standards established by any applicable specific plan;
 - a. *The proposed resort project is consistent with several of the 14 goals for the Borkey Area Specific Plan listed in Chapter 3.*

3. The Zoning Code, particularly the purpose and intent of the zoning district in which a development project is located;
 - (a) *With the approval of the proposed Rezone, the project site will be located in the Parks and Open Space (POS) Zone. Hotels/Motels are subject to approval of a Conditional Use Permit (CUP) in the POS Zone. The purpose of a CUP is to enable the City to impose conditions to ensure that land uses will be compatible with neighboring properties and implement City codes and policies.*

4. All other adopted codes, policies, standards, and plans of the City;
 - a. *This resolution contains several conditions designed to implement the Municipal Code, City State, and Regional governmental policies, regulations and adopted standards related to public infrastructure (e.g., streets, water, sewer, storm drainage), building and fire safety, general public safety.*
 - b. *The project expands the City's inventory of transient lodgings, which advances the following policies in the 2006 Economic Strategy*
 - (1) *The overall policy pertaining to "Place", which calls for the establishment of "distinctive, quality, stable, safe and sustainable physical improvements and attractions that welcome ... commerce, tourism,... and wealth necessary to maintain and enhance quality of life."*
 - (2) *The "Positioning" policy, which calls for the promotion of local industry, products, services and destinations via expansion and diversification of hotel products, including end destination full-service resorts;*

- b. The Ayres Resort Hotel, is consistent with the adopted codes, policies, standards and plans of the City; since the project has gone through the development review process including, environmental review and the processing of a Conditional Use Permit as required by Table 21.16.200 for recreational parks in the Parks and Open Space zoning districts; and
- c. The Ayres Resort Hotel, 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 the project will be required to comply with the recommended conditions of approval, including any environmental mitigation measures, and comply with any building and fire codes; and
- d. The Ayres Resort Hotel 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; in this particular case, the project site is not located in a City gateway area or a scenic corridor and has minimal frontage to the public street, however, based on the project being designed to fit the subject site and based on the site plan, architecture and landscaping, the proposed development will accommodate the aesthetic quality of the City as a whole; and

- e. The Ayres Resort Hotel is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts, because the project has been designed to provide significant buffers, including setbacks, and landscaping from the residential properties to the south and east, and additionally as a result of the site planning, building architecture and environmental mitigation, and included with this project.
- f. The Ayres Resort Hotel is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc. as a result of the project being designed to limit the amount of grading and oak tree impacts by developing in the flatter areas of the site, which allows for the preservation of the existing hillsides and oak trees; and
- g. The establishment, maintenance or operation of the Ayres Resort Hotel, will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, since the project has gone through the development review process including, environmental review and the processing of a Conditional Use Permit as required by Table 21.16.200 for resort hotels in the POS zoning districts; and
- h. The Ayres Resort Hotel contributes to the orderly development of the City as a whole, since the project will utilize the existing infrastructure in Buena Vista and Experimental Station Roads, consisting of sewer water and other utilities; and
- i. The Ayres Resort Hotel as conditioned would meet the intent of the General Plan and Zoning Ordinance by providing a transient occupancy/resort type use in close proximity to golf courses and commercial recreation.
- j. The Ayres Resort Hotel would be consistent with the Economic Strategy, since it would allow for the expansion and diversification of transient occupancy projects, by providing an end-destination full-service resort.
- k. The 70-foot height limit would be acceptable in the POS zoning district based on the 70-foot tower element being proportional with the rest of the building, and based on the 20-acre site size in relation to the building.

Section 2. Conditions of Approval

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles approves Planned Development 12-001 & Conditional Use Permit 12-003 subject to the following conditions:

PLANNING:

1. This PD 12-001 along with CUP 12-003 allows for the development of the 20-acre site into a 225 room resort that would include a 179 room hotel, 20 villa units, 36 extended stay units, wellness/spa facility, conference room, restaurant, wine tasting/retail boutique, and ancillary parking, gardens, orchards and vineyards. Additionally the PD & CUP allows for the 70 foot height limit for the building. The tower of the hotel may be 70-feet tall only if the hotel building is three stories. If the hotel is only two stories, the tower design must return to the Development Review Committee for approval.
2. The project is proposed to be developed in 4 phases. In the event that the applicant wishes to change the phasing order, after verification from the City Engineer that there are no concerns, the Development Review Committee (DRC) may approve the phasing change request.
3. 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:

EXHIBIT	DESCRIPTION
A	Standard Conditions
B	Title Sheet – Project Data
C	Architectural Site Plan
D	Hotel Lower Floor Plan
E	Hotel Upper Floor Plan
F	Villas Lower & Upper Floor Plans, Hotel South Elev., Wine Taste West Elev., & Extended Stay East Elev.
G	Hotel West and North Elevations, Villas North Elevation
H	Hotel South Elevation (Third Floor Plan Option)
I	Wellness, Wine Tasting & Extended Stay Floor Plans & Elevations
J	Color/Materials Board
K	Tentative Parcel Map
L	Preliminary Grading & Drainage
M	Preliminary Underground Plan
N	Site Cross Sections
O	Conceptual Landscape Plan
P	Landscape Concept Plan
Q	Signage Plan

4. The maximum length of stay for any resort room, including the hotel, villa rooms and extended-stay rooms is 30 consecutive days.
5. Approval of this PD/CUP does not preclude the property owner from applying for independent Temporary Use Permit(s) for special events/activities that would be outside of the general scope of this CUP approval. Any approval of such a TUP would be subject to an independent set of conditions as deemed necessary, per Chapter 21.23C of the Municipal Code (Temporary Use Permits).

6. Prior to the issuance of a building permit, the Development Review Committee (DRC) shall review the following items to insure substantial compliance with the above listed Exhibits:
 - Final site details such as landscaping, decorative paving, benches, exterior lighting and any other site planning details;
 - Architectural elevations, including final materials, colors and details;
 - Equipment such as back flow devices, transformers, a/c condensers and appropriate screening methods for both views and noise. Back flow and double check-valves shall not be visible from Buena Vista Drive or Experimental Station Road;
 - Final grading and drainage plans.
 - Signage
7. The project landscape plan is subject to the requirements within the City's Landscape Ordinance. Since the landscape area is over 1 acre, a Landscape Documentation Package (LDP) is required to be submitted to the City prior to the issuance of a Building Permit.
8. All on-site operations shall be in conformance with the City's performance standards contained in Section 21.21.040 and as listed below:
 - a. Fire and Explosion Hazards. All activities involving, and all storage of, inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire-suppression equipment and devices standard in industry and as approved by the fire department. All incineration is prohibited.
 - b. Radioactivity or Electrical Disturbance. Devices that radiate radio-frequency energy shall be so operated as not to cause interference with any activity carried on beyond the boundary line of the property upon which the device is located. Further, no radiation of any kind shall be emitted which is dangerous to humans. All radio transmissions shall occur in full compliance with Federal Communications Commission (FCC) and other applicable regulations.
 - c. Noise. No land use shall increase the ambient noise level as measured at the nearest residentially zoned property line to a level that constitutes a public nuisance.
 - d. Vibration. No vibrations shall be permitted so as to cause a noticeable tremor measurable without instruments at the lot line.
 - e. Smoke. Except for fireplaces and barbecues, no emission shall be permitted at any point from any chimney which would constitute a violation of standards established by the San Luis Obispo County Air Pollution Control District (APCD).
 - f. Odors. Except for fireplaces and barbecues, no emission shall be permitted of odorous gases or other odorous matter in such quantities as to constitute a public nuisance.
 - g. Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution. No emission shall be permitted which can cause damage to health, animals, vegetations or other forms of property, or which can cause any excessive soiling at any point. No emissions shall be permitted in excess of the standards established by the San Luis Obispo County Air Pollution Control District (APCD).

- h. Glare. No direct glare, whether produced by floodlight, high-temperature processes such as combustion or welding or other processes, so as to be visible from any boundary line of the property on which the same is produced shall be permitted. Sky-reflected glare from buildings or portions thereof shall be so 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.
 - i. Liquid or Solid Wastes. No discharge shall be permitted at any point into any public sewer, private sewage disposal system or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, except in accord with standards approved by the California Department of Health or such other governmental agency as shall have jurisdiction over such activities. Manufacturing, processing, treatment and other activities involving use of toxic or hazardous materials shall be designed to incorporate the best available control technologies and wherever technically feasible shall employ a "closed loop" system of containment.
 - j. Transportation Systems Impacts. Vehicular, bikeway and/or pedestrian traffic, directly attributable to the proposed land use, shall not increase to a significant extent without implementation of adequate mitigation measures in a form to be approved by the city engineer. In determining significance of impacts, consideration shall be given to cumulative (projected build-out) capacity of streets and highways serving the land use. Mitigation measures required may include but not be limited to curb, gutter, sidewalk, street and/or alley, bikeway, transit related improvements and traffic signalization. Mitigation may be required as pursuant to the California Environmental Quality Act (CEQA), or as a condition of a discretionary review. (Ord. 665 N.S. § 28, 1993; (Ord. 405 N.S. § 2 (part), 1977)
9. Any condition imposed by the Planning Commission in granting this Conditional Use Permit 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 granting of the original permit. 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 under the Conditional Use Permit.

ENGINEERING:

- 10. Prior to occupancy of Phase I, Experimental Station Road shall be improved to comply with minimum Fire Code standards and a modified Borkey Area Standard as requested by the applicant along the frontage of the project in accordance with plans approved by the City Engineer.

11. As recommended by the Planning Commission:

Prior to occupancy of Phase I, Buena Vista Drive shall be improved with curb, gutter, sidewalk and bikeway along the frontage of the project. The sidewalk and bikeway shall be extended to Dallons Drive only be required if the City executes a reimbursement agreement or development agreement under which the applicant will be reimbursed for doing such work beyond his property. All improvements shall be constructed in accordance with plans approved by the City Engineer.

11. As recommended in Staff Report:

Prior to occupancy of the hotel, Buena Vista Drive shall be improved with curb, gutter, sidewalk, and striping for a Class II bikeway from Experimental Station Road to Dallons Drive. Improvements between the northern boundary of the site and Dallons Drive may be eligible for reimbursement if the AB 1600 program is updated to include such improvements prior to completion of construction of the hotel, and/or from any Greenhouse Gas Mitigation Fees that may be imposed per Environmental Mitigation Condition GHG-1. All improvements shall be constructed in accordance with plans approved by the City Engineer.

12. All existing overhead utility lines along Buena Vista Drive shall be relocated underground across the frontage of the project.

13. Low impact development best management practices as outlined in the project submittals shall be incorporated into the project grading plans and shall meet design criteria adopted by the City in effect at the time of development of the project.

14. The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project.

15. As Recommended by the Planning Commission:

The project shall be served by City water including the ten acres of orchard and vineyard. In the event that additional sources of water become available in the future that are appropriate and approved by the City Council, those sources may be substituted for the municipal water. The orchard and vineyard shall be irrigated with recycled water provided by the City when available providing that the recycled water is of a quality legally suitable for the irrigation of organics crops to be consumed by humans.

15. As Recommended in Staff Report:

The project shall be served by City water including the ten acres of orchard and vineyard. The orchard and vineyard shall be irrigated with recycled water provided by the City when available.

16. Borkey Specific Plan fees shall be provided as outlined in the applicant's submittal package.

Section 3. Environmental Mitigation Measures

Air Quality:

AQ-1 Projects with grading areas that are greater than 4-acres or are within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and do not impact off-site areas prompting nuisance violations (APCD Rule 402):

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock pile areas should be sprayed daily as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
- l. All PM₁₀ mitigation measures required should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-2 The standard mitigation measures for reducing nitrogen oxides (NO_x), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment are listed below (SLOCAPCD 2009):

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b. Fuel all off-road and portable diesel powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c. Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation (CCR Title 13, Article 4.8, Chapter 9, Section 2449);
- d. Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation (CCR Title 13, Article 4.8, Chapter 9, Section 2449);
- e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NO_x exempt area fleets) may be eligible by proving alternative compliance;
- f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
- g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- i. Electrify equipment when feasible;
- j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.
- l. In addition to the above SLOCAPCD recommended mitigation measures, the following additional mitigation measures shall also be implemented:
- m. To the extent practical, reuse and recycle construction waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard.
- n. If site preparation and grading activities are to occur during the same calendar quarter, a minimum of ten percent of diesel-powered heavy-duty (i.e., 50 hp or greater) offroad equipment shall meet CARB's Tier 3, or cleaner, certified engine standards.

AQ-3 Construction Phase Idling Limitations

Again, this project is in close proximity to nearby sensitive receptors (Cuesta College and adjacent residences). Projects that will have diesel powered construction activity in close proximity to any sensitive receptor shall implement the following mitigation measures to ensure that public health benefits are realized by reducing toxic risk from diesel emissions:

To help reduce sensitive receptor emissions impact of diesel vehicles and equipment used to construct the project, the applicant shall implement the following idling control techniques:

1. California Diesel Idling Regulations

- a. ***On-road diesel vehicles*** shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 1. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 2. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
- b. ***Off-road diesel equipment*** shall comply with the 5 minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use off-Road Diesel regulation.
- c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state's 5 minute idling limit.
- d. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: www.arb.ca.gov/msprog/truck-idling/2485.pdf and www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.

2. Diesel Idling Restrictions Near Sensitive Receptors (i.e. the adjacent residential dwelling units)

In addition to the State required diesel idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:

- a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
- c. Use of alternative fueled equipment is recommended; and
- d. Signs that specify the no idling areas must be posted and enforced at the site.

AQ-4 Truck Routing

Any proposed construction truck routes should be evaluated and selected to ensure routing patterns have the least impact to residential dwellings and other sensitive receptors, such as schools, parks, day care centers, nursing homes, and hospitals. If the project has significant truck trips where hauling/truck trips are routine activity and operate in close proximity to sensitive receptors, toxic risk needs to be evaluated.

AQ-5 Construction Mitigation Efficacy

The Initial Study completed an analysis of potential construction phase emission impacts based on default settings in the CalEEMod model for building the project. The results demonstrated that the project could exceed the quarterly ozone precursor threshold of 2.5 tons of reactive organic gases and nitrogen oxides per quarter. To the extent practical, reuse and recycle construction waste (including, but not limited to soil, vegetation, concrete, lumber, metal, and cardboard. **Prior to the issuance of grading permits, the applicant will need to demonstrate through updated modeling that the actual construction fleet that is secured will not exceed the construction phase thresholds when the construction mitigation is implemented. Should the actual fleet exceed any threshold, then phasing changes or other mitigation shall be proposed and approved by the APCD such that the project will be below the construction phase air quality thresholds of significance of 2.5 tons/quarter ROG+NOx.**

Biological Resources:

BR-1: Within one week of ground disturbance activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the project site and nest locations shall be included with the report.

BR-2 Occupied burrows or nests of special status species shall be mapped using GPS or survey equipment. Work shall not be allowed within 100 foot buffer while nests are in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.

BR-3 Occupied burrows or nests of special status bird species that are within 100 feet of project work areas shall be monitored at least every two weeks through the nesting season to document nest success and check for project compliance with buffer zones. Once burrows or nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work may commence in those areas.

BR-4 Silvery legless lizards, a special status species, could potentially be present in construction areas. Pre-construction surveys for silvery legless lizards shall be conducted prior to primary grubbing and other construction activities that affect undisturbed habitat. If no special status species are found, construction activities may begin immediately. If a silvery legless lizard is found, a qualified biologist shall move them to the nearest safe location. The biologist shall

have the authority to stop work if special status species are found in the project area during construction.

BR-5 A pre-construction survey shall be conducted within 30 days of beginning construction work on a portion of the Project site to identify if badgers are present. The results of the survey shall be sent to the Project manager and lead agency.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover all Project areas included in the respective construction phase, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens between February and July, nursing young may be present. To avoid disturbance and the possibility of direct loss of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February 1 and July 1. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are active and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the Project site during the pre-construction survey, and are not raising young, they may be encouraged to vacate the den by a qualified biologist. If measures such as partially blocking den entrances do not result in the badger moving, badgers may be live trapped and moved to save locations.

BR-6 Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles Planning Department, (City) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 40 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.) requires that all aspects of this program must be in place before City permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total **\$100,000**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.

- c. Purchase 40 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$100,000. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

BR-7 Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

- i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- ii. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, diking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-8 through BR-16. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-19iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.

- iii. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

- iv. In addition, the qualified biologist shall implement the following measures:
 - 1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - Potential kit fox den: 50 feet
 - Known or active kit fox den: 100 feet
 - Kit fox pupping den: 150 feet
 - 2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
 - 3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.

BR-8 Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: "Speed signs of 25 mph (of lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox." Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.

BR-9 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.

- BR-10** Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. SJKF). At a minimum, as the program relates to the kit fox, the training shall include all mitigation measures specified by the City, as well as any related biological reports(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.
- BR-11** During the site-disturbance and/or construction phase, to prevent entrapment of the SJKF, all excavations, steep-walled holes and trenches in excess of 2 feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each day. Before such holes or trenches are filled, they shall be inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
- BR-12** During the sit disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project sit shall be thoroughly inspected for trapped SJKF before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.
- BR-13** During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, can, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract SJKF onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BR-14** Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and depletion of prey upon which SJKF depend.
- BR-15** During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a SJKF or who finds such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and the City. In the event that nay observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFG by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFG for care, analysis or disposition.

BR-16 Prior to final inspection should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
- If a more solid wire mesh fence is used, 8"x12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the City to verify proper installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

GHG Mitigations

GHG-1: The project applicant shall coordinate with the City of Paso Robles and the SLOAPCD to identify and implement GHG-reduction measures sufficient to reduce operational GHG emissions to below the SLOAPCD's significance threshold of 1,150 MTCO₂e/year. GHG-reduction measures may include, but are not limited to, implementation of measures that would reduce energy use, water use, and motor vehicle trips. Examples of measures to be implemented are included in the Air Quality & Greenhouse Gas Impact Assessment, Appendix B. If the project does not implement sufficient adopted GHG reduction measures to reduce the emissions below the GHG threshold, the applicant shall pay off-site mitigation fees at the rate established by SLOAPCD to fund local GHG reduction projects subject to approval by the City of Paso Robles.

PASSED AND ADOPTED THIS 17th day of July, 2012 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR DUANE PICANCO

ATTEST:

CARYN JACKSON, DEPUTY CITY CLERK

h:darren/PD/Ayres Hotel /071712 PC Res

EXHIBIT A OF RESOLUTION
CITY OF EL PASO DE ROBLES
STANDARD DEVELOPMENT CONDITIONS

Planned Development _____ Conditional Use Permit _____

Tentative Parcel Map _____ Tentative Tract Map _____

Approval Body: City Council _____ Date of Approval: July. 17, 2012 _____

Applicant: Ayres Paso Robles, Ltd. _____ Location: Buena Vista Dr. _____

APN: 025-391-014 _____

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 – PD/CUP:

- 1. This project approval shall expire on July 17, 2014 unless a time extension request is filed with the Community Development Department, or a State mandated automatic time extension is applied prior to expiration.
- 2. 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.
- 3. To the extent allowable by law, Owner agrees to hold City harmless from costs and expenses, including attorney's fees, incurred by City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal court challenging the City's actions with respect to the project. Owner understands and acknowledges that City is under no obligation to defend any legal actions challenging the City's actions with respect to the project.

- 4. Any site specific condition imposed by the Planning Commission in approving this project **(Conditional Use Permit)** 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. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.
- 6. 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.
- 7. 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.
- 8. Prior to the issuance of a Building Permit a landscape and irrigation plan consistent with the Landscape and Irrigation Ordinance, shall be submitted for City review and approval. The plan needs to be designed in a manner that utilizes drought tolerant plants, trees and ground covers and minimizes, if not eliminates the use of turf. The irrigation plan shall utilize drip irrigation and limit the use of spray irrigation. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 9. A reciprocal parking and access easement and agreement for site access, parking, and maintenance of all project entrances, parking areas, landscaping, hardscape, common open space, areas and site lighting standards and fixtures, shall be recorded prior to or in conjunction with the Final Map. Said easement and agreement shall apply to all properties, and be referenced in the site Covenants, Conditions and Restrictions (CC&Rs).
- 10. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
- 11. For commercial, industrial, office or multi-family projects, all refuse enclosures are required to provide adequate space for recycling bins. The enclosure shall be architecturally compatible with the primary building. Gates shall be view obscuring and constructed of durable materials. Check with Paso Robles Waste Disposal to determine the adequate size of enclosure based on the number and size of containers to be stored in the enclosure.

- 12. For commercial, industrial, office or multi-family projects, 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.
- 13. 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.
- 14. 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.
- 15. 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.
- 16. 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.
- 17. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No.835 N.S., 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.
- 18. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
- 19. Prior to recordation of the map or prior to occupancy of a project, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- 20. 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.

- 21. 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:

B. GENERAL CONDITIONS – TRACT/PARCEL MAP:

- 1. In accordance with Government Section 66474.9, the subdivider shall defend, indemnify and hold harmless the City, or its agent, officers and employees, from any claim, action or proceeding brought within the time period provided for in Government Code section 66499.37, against the City, or its agents, officers, or employees, to attack, set aside, void, annul the City's approval of this subdivision. The City will promptly notify subdivider of any such claim or action and will cooperate fully in the defense thereof.
- 2. The Covenants, Conditions, and Restrictions (CC&Rs) and/or Articles Affecting Real Property Interests are subject to the review and approval of the Community Development Department, the Public Works Department and/or the City Attorney. They shall be recorded concurrently with the Final Map or prior to the issuance of building permits, whichever occurs first. A recorded copy shall be provided to the affected City Departments.
- 3. The owner shall petition to annex residential Tract (or Parcel Map)_____ into the City of Paso Robles Community Facilities District No. 2005-1 for the purposes of mitigation of impacts on the City's Police and Emergency Services Departments.
- 4. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.
- 5. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

ENGINEERING DIVISION- The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:

All conditions marked are applicable to the above referenced project for the phase indicated.

C. PRIOR TO ANY PLAN CHECK:

- 1. The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.

D. PRIOR 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. 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 its removal.
- 3. A complete grading and drainage plan shall be prepared for the project by a registered civil engineer and subject to approval by the City Engineer. The project shall conform to the City's Storm Water Discharge Ordinance.
- 4. A Preliminary Soils and/or Geology Report providing technical specifications for grading of the site shall be prepared by a Geotechnical Engineer.
- 5. A Storm Water Pollution Prevention Plan per the State General Permit for Storm Water Discharges Associated with Construction Activity shall be provided for any site that disturbs greater than or equal to one acre, including projects that are less than one acre that are part of a larger plan of development or sale that would disturb more than one acre.

E. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

- 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.
- 3. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Streets Division Supervisor and the Community Development Department.
- 4. In a special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM) the owner shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor or civil engineer licensed in the State of California.

F. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR RECORDATION OF THE FINAL MAP:

The Planning Commission has made a finding that the fulfillment of the construction requirements listed below are a necessary prerequisite to the orderly development of the surrounding area.

- 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services.
- 2. All public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
- 3. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:

Buena Vista Dr.	Arterial	
Experimental Station	Rural Local	
Street Name	City Standard	Standard Drawing No.
- 4. If, at the time of approval of the final map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act.

Bonds required and the amount shall be as follows:
 Performance Bond.....100% of improvement costs.
 Labor and Materials Bond.....50% of performance bond.

- 5. If the existing City street adjacent to the frontage of the project is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall excavate the entire structural section and replace it with a standard half-width street plus a 12' wide travel lane and 8' wide graded shoulder adequate to provide for two-way traffic.

6. If the existing pavement and structural section of the City street adjacent to the frontage of the project is adequate, the applicant shall provide a new structural section from the proposed curb to the edge of pavement and shall overlay the existing paving to centerline for a smooth transition.
7. Due to the number of utility trenches required for this project, the City Council adopted Pavement Management Program requires a pavement overlay on _____ along the frontage of the project.
8. The applicant shall install all utilities. Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project.
9. 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;
 - c. Sewer Facilities Easement;
 - d. Landscape Easement;
 - e. Storm Drain Easement.
10. 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/open space landscaping;
 - c. Wall maintenance in conjunction with landscaping;
 - d. Graffiti abatement;
 - e. Maintenance of open space areas.
11. For a building with a Special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM), the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a lands surveyor or civil engineer licensed in the State of California.
12. All final property corners shall be installed.
13. All areas of the project shall be protected against erosion by hydro seeding or landscaping.
14. 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.

- 15. Clear blackline mylars and paper prints of record drawings, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. An electronic autocad drawing file registered to the California State Plane – Zone 5 / NAD83 projected coordinate system, units in survey feet, shall be provided.

PASO ROBLES DEPARTMENT OF EMERGENCY SERVICES- The applicant shall contact the Department of Emergency Services, (805) 227-7560, for compliance with the following conditions:

G. GENERAL CONDITIONS

- 1. Prior to the start of construction:
 - Plans shall be reviewed, approved and permits issued by Emergency Services for underground fire lines.
 - Applicant shall provide documentation to Emergency Services that required fire flows can be provided to meet project demands.
 - Fire hydrants shall be installed and operative to current, adopted edition of the California Fire Code.
 - A based access road sufficient to support the department's fire apparatus (HS-20 truck loading) shall be constructed and maintained for the duration of the construction phase of the project.
 - Access road shall be at least twenty (20) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance.

- 2. Provide central station monitored fire sprinkler system for all residential, commercial and industrial buildings that require fire sprinklers in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.
 - Plans shall be reviewed, approved and permits issued by Emergency Services for the installation of fire sprinkler systems.

- 3. Provide central station monitored fire alarm system for all residential, commercial and industrial buildings that require fire alarm system in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.

- 4. If required by the Fire Chief, provide on the address side of the building if applicable:
 - Fire alarm annunciator panel in weatherproof case.
 - Knox box key entry box or system.
 - Fire department connection to fire sprinkler system.

5. Provide temporary turn-around to current City Engineering Standard for phased construction streets that exceed 150 feet in length.
6. Project shall comply with all requirements in current, adopted edition of California Fire Code and Paso Robles Municipal Code.
7. Prior to the issuance of Certificate of Occupancy:
 - Final inspections shall be completed on all underground fire lines, fire sprinkler systems, fire alarm systems and chemical hood fire suppression systems.
 - Final inspections shall be completed on all buildings.



AYRES RESORT & SPA

VICINITY MAP



PROJECT DATA & STATISTICS

GENERAL SITE INFORMATION
 PROJECT ADDRESS: BUENA VISTA ROAD
 PASO ROBLES, CA

ASSESSOR'S PARCEL NUMBER: 005-391-004

LOT SIZE: 30.08 acres

LAND USE DESIGNATION: RAWFE

EXISTING ZONING: RL-PD

PROPOSED ZONING: POS

GRAZING QUANTITIES: 0 units/10,000 cubic yards

SHEET INDEX

Cover: TITLE SHEET - PROJECT DATA
 P1.0 ARCHITECTURAL SITE PLAN
 P1.1 HOTEL LIGHTER FLOOR PLAN
 P1.2 HOTEL LIGHTER UPPER FLOOR PLANS
 P1.3 VILLAS LOWER & UPPER FLOOR PLANS
 P1.4 HOTEL SOUTH ELEVATION, WINE TASTING
 WEST ELEVATION & EXTENDED STAY SIX-PLEX EAST I
 P1.5 HOTEL EXTERIOR ELEVATIONS
 P1.6 WELLNESS CENTER, WINE TASTING BUILDING, and
 EXTENDED STAY SIX & EIGHT-PLEX
 EXTERIOR ELEVATIONS
 P1.7 COLOR - MATERIALS BOARD
 P1.8 VESTING TENTATIVE PARCEL MAP
 P1.9 PRELIMINARY GRADING & DRAINAGE
 P1.10 PRELIMINARY UNDERGROUND PLAN
 P1.11 SITE CROSS SECTIONS
 L1.0 CONCEPT LANDSCAPE PLAN
 L1.1 LANDSCAPE CONCEPT
 L1.2 LANDSCAPE CONCEPT
 S1.0 STORAGE PLAN

DIRECTORY

OWNERS: AYRES HOTEL
 355 BRISTOL STREET
 COSTA MESA, CA 92626
 (714) 444-6666

ARCHITECT: STEVEN PUGLISI ARCHITECTURE
 583 DANA STREET
 SAN LUIS OBISPO, CA 93141
 (805) 555-1985 (F) 805-555-1986

CIVIL ENGINEER: NORTH COAST ENGINEERING, INC
 700 CALIFORNIA ROAD, SUITE B
 PASO ROBLES, CA 93246
 (805) 339-3127 (F) 805-339-0738

LANDSCAPE ARCHITECT: FIRMA
 40 TANK FARM ROAD, SUITE 230
 SAN LUIS OBISPO, CA 93141
 (805) 919-8800 (F) 805-919-8803

SOILS ENGINEER: EARTH SYSTEMS PACIFIC
 4378 SANTA FE ROAD
 SAN LUIS OBISPO, CA 93141
 (805) 544-3379 (F) 805-544-1786

BIOLOGIST: ALTHOUSE & MEADE
 160 SPRING STREET
 PASO ROBLES, CA 93246
 (805) 331-9634 (F) 805-337-9451

SIGNAGE: PROMOTIONAL SIGNS
 2000 CALIFORNIA ROAD
 LAKE FOREST, CA 92550
 (949) 458-0000 (F) 949-458-3330

RECEIVED

JAN 30 2012

Engineering Division

Exhibit B
 Title Sheet - Project Data
 PD 12-001 et al
 (Ayres, Ltd.)

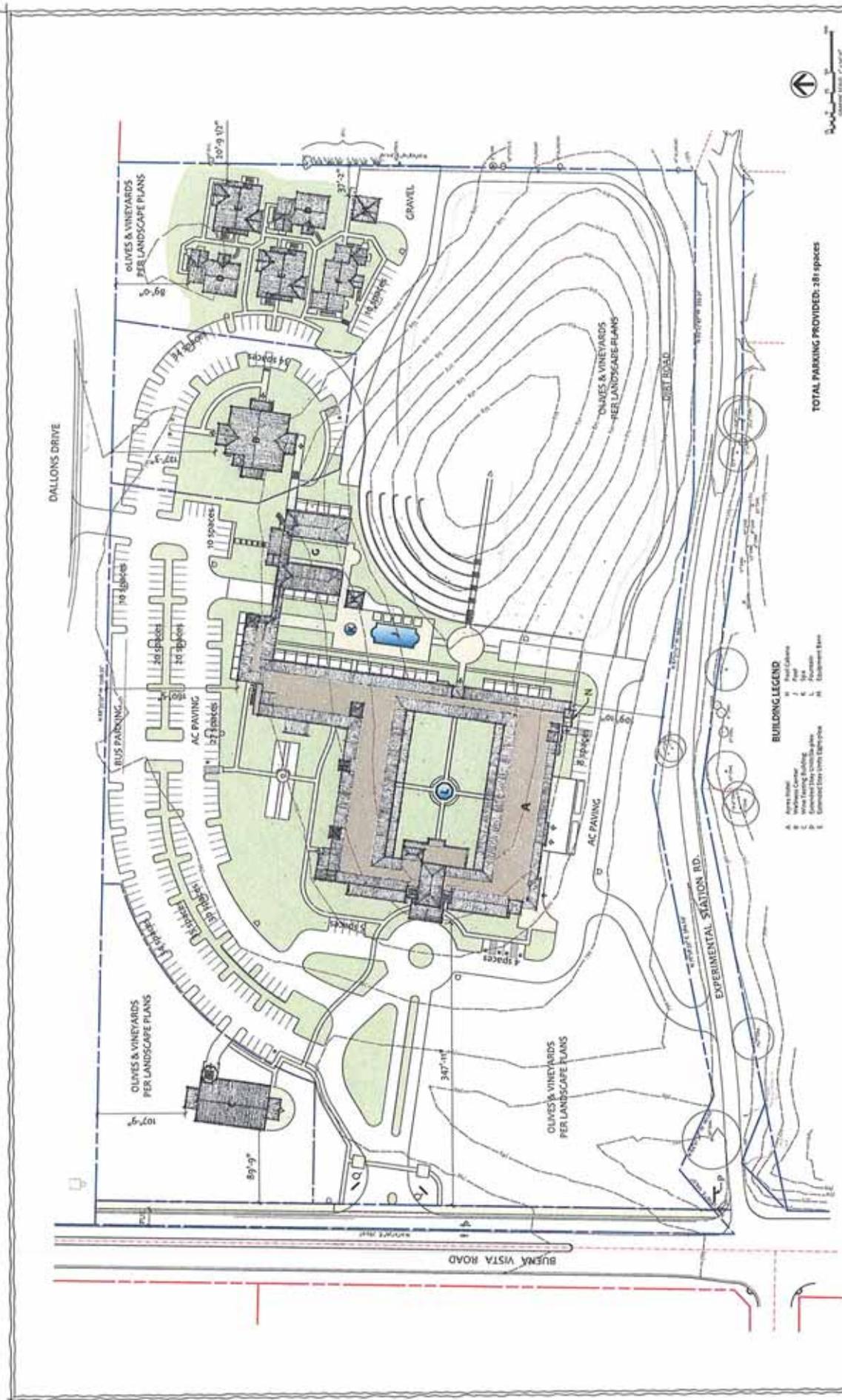


Steven Puglisi
ARCHITECTURE
 2000 CALIFORNIA ROAD
 LAKE FOREST, CA 92550
 (949) 458-0000 FAX 949-458-3330



COVER PAGE

NGE NORTH COAST ENGINEERING, INC
 Civil Engineering • Land Surveying • Project Development



- BUILDING LEGEND**
- 1. Main Building
 - 2. Service Center
 - 3. Wine Tasting Building
 - 4. Spa
 - 5. Restaurant
 - 6. Equipment Room
 - 7. Pool
 - 8. Deck
 - 9. Deck
 - 10. Deck



TOTAL PARKING PROVIDED: 281 spaces

SHEET #	
P1.0	
DATE	12/15/11
SCALE	AS SHOWN
PROJECT	AYRES RESORT & SPA
LOCATION	BUENA VISTA ROAD, PASO ROBLES, CALIFORNIA
DESIGNED BY	STEVEN PUGLISI ARCHITECTURE
CHECKED BY	
APPROVED BY	

Exhibit C
Architectural Site Plan
 PD 12-001 et al
 (Ayres, Ltd.)

AYRES RESORT & SPA
 AN AYRES HOTEL
 Buena Vista Road
 Paso Robles, California

Steven Puglisi
ARCHITECTURE
 531 S. Main Street
 Paso Robles, CA 92551
 Phone: 805.395.1987 Fax: 805.395.1989



ROOM COUNT
 LOWER FLOOR 81 rooms
 UPPER FLOOR 129 rooms
TOTAL 210 rooms

FEATURE EXPANSION ROOM COUNT
 LOWER FLOOR 20 rooms
 UPPER FLOOR 24 rooms
TOTAL 44 rooms

BUILDING AREA
 LOWER FLOOR 49,370 square feet
 UPPER FLOOR 47,248 square feet
 TOTAL 96,618 square feet

FEATURE EXPANSION BUILDING AREA
 LOWER FLOOR 9,815 square feet
 UPPER FLOOR 9,815 square feet
TOTAL 19,630 square feet

ROOM LEGEND

- 1 Lobby - Front Desk
- 2 Covered Entry
- 3 Gift Shop
- 4 King Room
- 5 King Room
- 6 Elevator Lobby - Shafts - Equipment Room
- 7 Conference Rooms
- 8 Lounge
- 9 Courtyard
- 10 Room or Suite
- 11 Terrace Room
- 12 Restrooms
- 13 Electrical Room
- 14 Laundry
- 15 Spa
- 16 Terrace
- 17 Room Patio
- 18 Offices
- 19 Utility
- 20 Private Dining
- 21 Boiler
- 22 Stairwell
- 23 Covered Outdoor Dining
- 24 Covered Walkway
- 25 Open to Lobby Below
- 26 Waiting Room
- 27 Vending

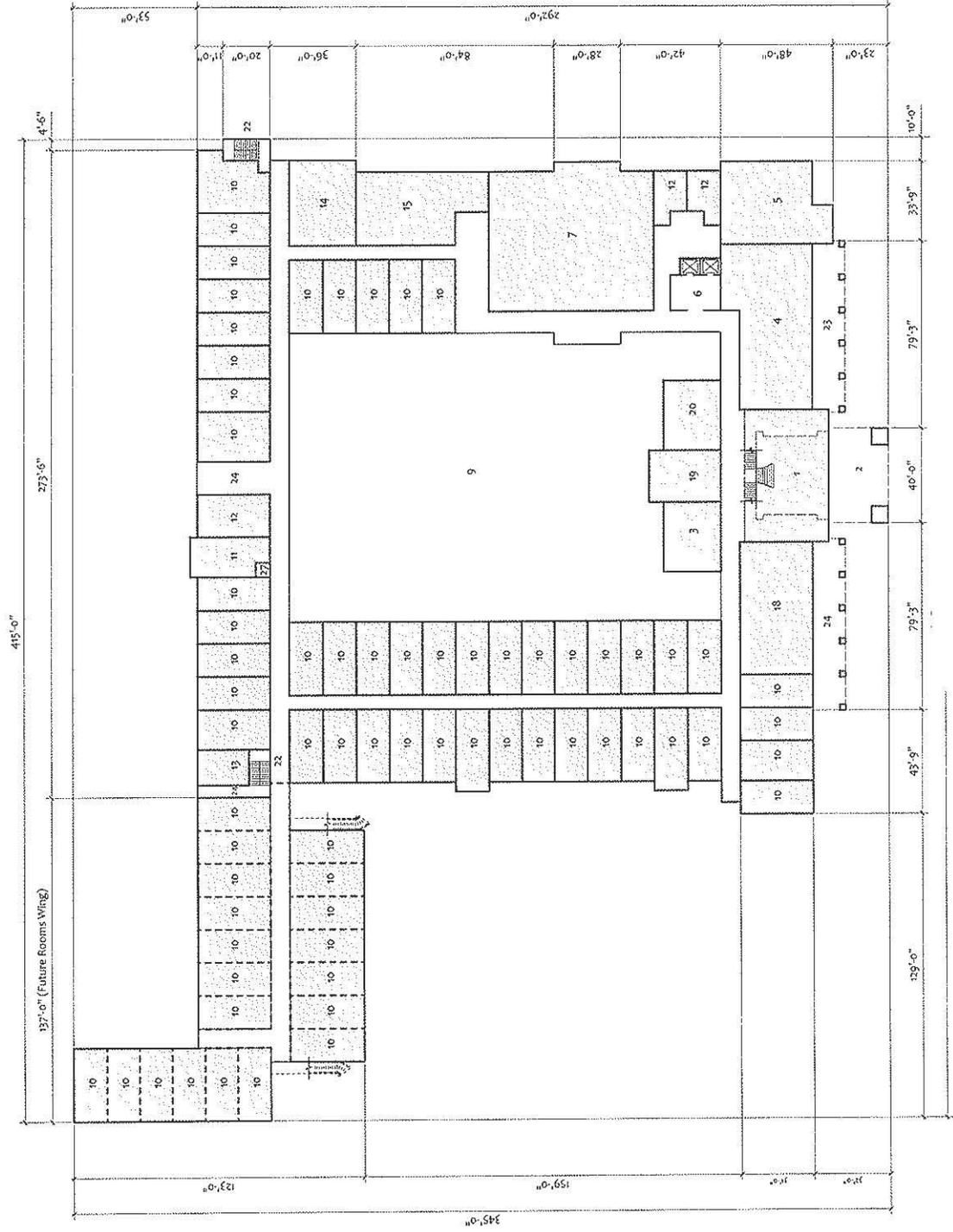


Exhibit D
 Hotel Lower Floor Plan
 PD 12-001 et al
 (Ayres, Ltd.)

AYRES RESORT & SPA
 for AYRES HOTEL
 Buena Vista Road
 Paso Robles, California

Steven Puglisi
 ARCHITECTURE
 343 Pine Street, Suite 100, San Francisco, CA 94101
 Phone: 415.398.1992 Fax: 415.398.1990



SHEET #
P2.0



ROOM COUNT
 LOWER FLOOR 48 rooms
 UPPER FLOOR 81 rooms
 TOTAL 129 rooms

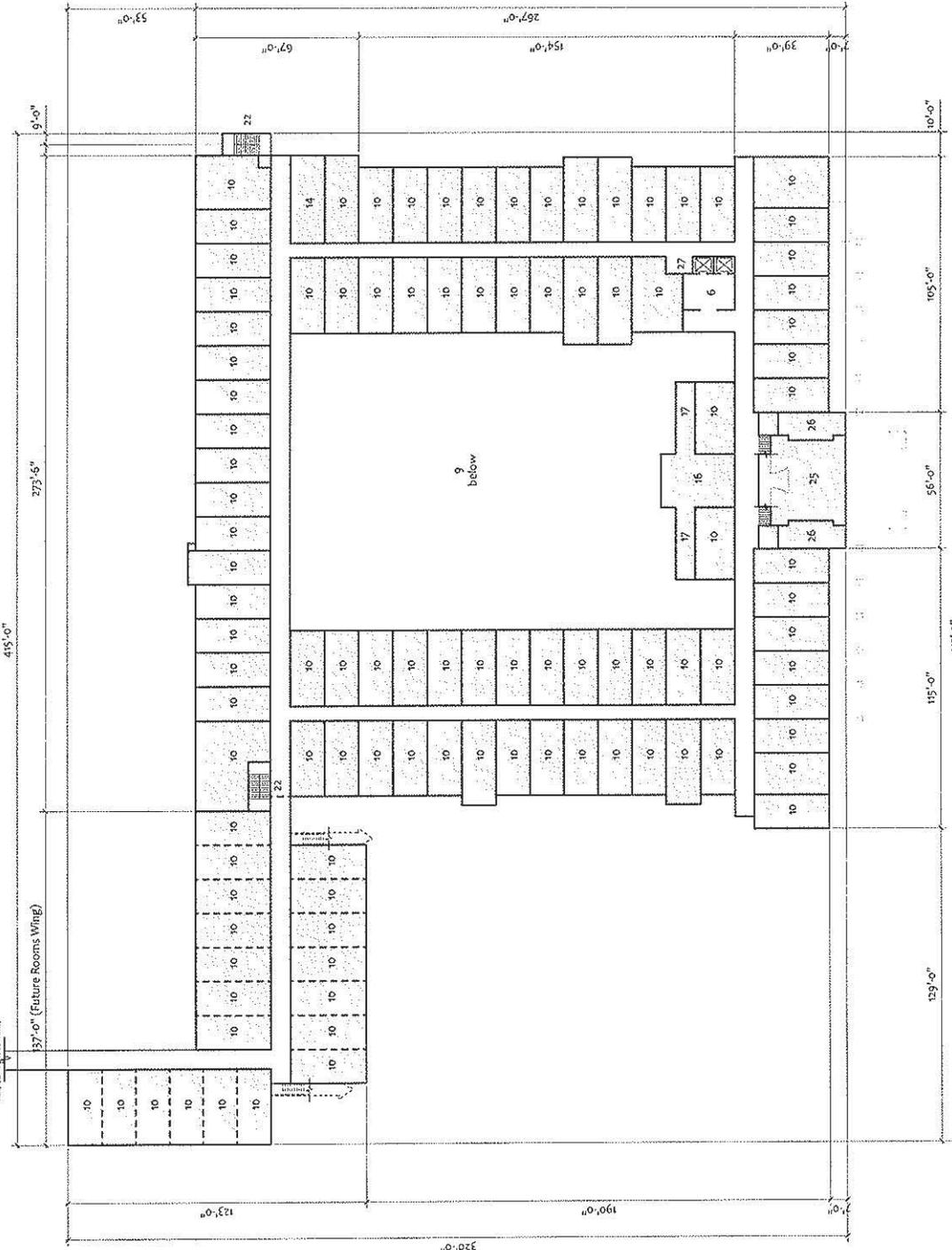
FUTURE EXPANSION ROOM COUNT
 LOWER FLOOR 20 rooms
 UPPER FLOOR 28 rooms
 TOTAL 48 rooms

BUILDING AREA
 LOWER FLOOR 49,370 square feet
 UPPER FLOOR 47,248 square feet
 COVERED ENTRY 1,000 square feet
 COVERED OUTDOOR DINING 1,000 square feet
 COVERED WALKWAY 1,000 square feet
 TOTAL 99,668 square feet

FUTURE EXPANSION BUILDING AREA
 LOWER FLOOR 9,845 square feet
 UPPER FLOOR 9,845 square feet
 TOTAL 19,690 square feet

ROOM LEGEND

- Lobby - Front Desk
- Covered Entry
- Gift Shop
- King Room
- Kitchen
- Elevator Lobby, Shafts - Equipment Room
- Conference Rooms
- Lounge
- Courtyard
- Room or Suite
- Exercise Room
- Reception
- Electrical Room
- Laundry
- Spa
- Terrace
- Room Patio
- Offices
- Utility
- Private Dining
- Boiler
- Stairwell
- Covered Outdoor Dining
- Covered Walkway
- Open to Lobby Below
- Storage Room
- Vending



STANDARD CONTRACT DOCUMENTS

AYRES RESORT & SPA

ARCHITECTURE

PD 12-001 et al

(Ayres, Ltd.)

AYRES HOTEL
 Buena Vista Road
 Paso Robles, California

AYRES RESORT & SPA

ARCHITECTURE

PD 12-001 et al

(Ayres, Ltd.)

Exhibit E
Hotel Upper Floor Plan
PD 12-001 et al
(Ayres, Ltd.)

AYRES RESORT & SPA

ARCHITECTURE

PD 12-001 et al

(Ayres, Ltd.)

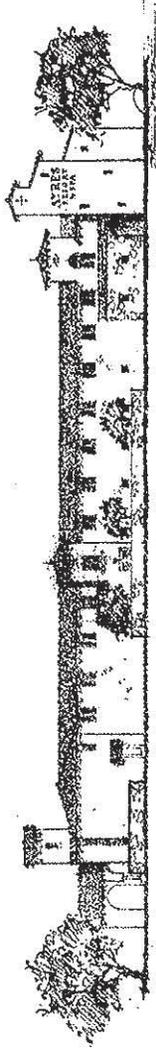
AYRES HOTEL
 Buena Vista Road
 Paso Robles, California

AYRES RESORT & SPA

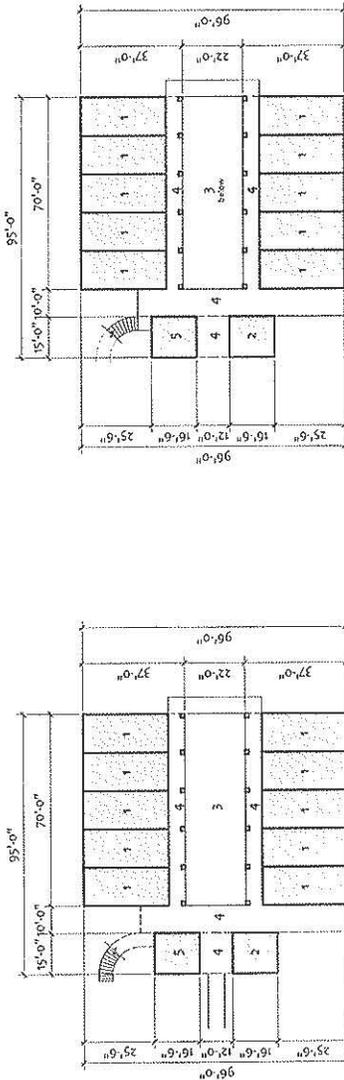
ARCHITECTURE

PD 12-001 et al

(Ayres, Ltd.)



HOTEL
SOUTH ELEVATION
EXPERIMENTAL STATION ROAD

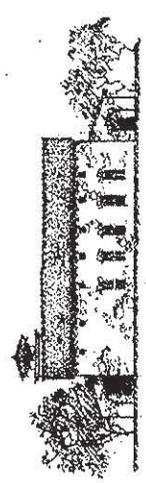


- ROOM COUNT**
LOWER FLOOR
UPPER FLOOR
TOTAL
- BUILDING AREA**
LOWER FLOOR
UPPER FLOOR
2 COVERED WALKWAYS
3 STORAGE ROOMS
ELEVATOR SHAFT
TOTAL
- ROOM LEGEND**
1 Room or Suite
2 Lobby - Staffs - Equipment Room
3 Courtyard
4 Covered Walkway or Balcony
5 Storage
6 Hotel Expansion Footprint

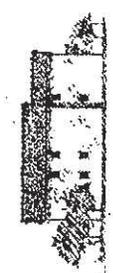
- 10 rooms
10 rooms
20 rooms
- 4,240 square feet
4,240 square feet
5,145 square feet
495 square feet
495 square feet
14,815 square feet

VILLAS LOWER FLOOR

VILLAS UPPER FLOOR



WINE TASTING
WEST ELEVATION
BUENA VISTA ROAD



EXTENDED STAY SIX - PLEX
EAST ELEVATION
ADJACENT PROPERTY

Exhibit F
Floor Plans / Elevations
PD 12-001 et al
(Ayres, Ltd.)



Steven Puglisi
ARCHITECTURE
SAN ANTONIO, TEXAS
PHONE: 803.525.1802 FAX: 803.525.1800

AYRES RESORT & SPA
for AYRES HOTEL
Buena Vista Road
Paso Robles, California



Villas Lower & Upper Floor Plans
Hotel South Elevation, Wine Tasting West Elevation
and Extended Stay Six-plex East Elevation

DATE	BY	REVISION

SHEET #
P2.2



WEST ELEVATION
BUENA VISTA ROAD

- 859.31' Building Height
- 843.45' Building Height
- 842.21' Building Height
- 819.00' Finish Floor
- 809' Finish Floor

- Stone Veneer
- 5" Tile
- Smooth Stucco
- Wood Doors
- Aluminum Trim
- Exposed Rafter Tails
- Vinyl Windows



HOTEL NORTH ELEVATION
1111 EAST PARKWAY

VILLAS NORTH ELEVATION
DALLONS DRIVE

Exhibit G
Elevations
PD 12-001 et al
(Ayres, Ltd.)



Steven Puglisi
ARCHITECTURE
1431 N. 10th Street, Suite 100
Phoenix, AZ 85006
Phone: 602.375.1481 Fax: 602.375.1499

AYRES RESORT & SPA
BY AYRES HOTEL
Buena Vista Road
Paso Robles, California

Hotel Exterior Elevations



DATE	11/12/2012
DRAWN BY	AYRES
CHECKED BY	AYRES
DESIGNED BY	AYRES
PROJECT	AYRES
DESCRIPTION	AYRES

ROOM COUNT with THIRD FLOOR
 #Rooms
 #Rooms
 #Rooms
 #Rooms
TOTAL

BUILDING AREA with THIRD FLOOR
 FIRST FLOOR 49,350 square feet
 SECOND FLOOR 47,248 square feet
 THIRD FLOOR 73,278 square feet
COVERED ENTRY 1,000 square feet
COVERED OUTDOOR DINING 200 square feet
COVERED VOLUNTARY 1,400 square feet
TOTAL 173,276 square feet

- ROOM LEGEND**
- 1 Lobby - Front Desk
 - 2 Covered Entry
 - 3 Gift Shop
 - 4 Storage Room
 - 5 Kitchen
 - 6 Elevator Lobby - Shuffles - Equipment Room
 - 7 Conference Rooms
 - 8 Lounge
 - 9 Courtyard
 - 10 Room or Suite
 - 11 Restrooms
 - 12 Restrooms & Showers
 - 13 Electrical Room
 - 14 Laundry
 - 15 Spa
 - 16 Terrace
 - 17 Moon Patio
 - 18 Bar
 - 19 Library
 - 20 Private Dining
 - 21 Boiler
 - 22 Stairwell
 - 23 Covered Outdoor Dining
 - 24 Covered Walkway
 - 25 Skybridge Below
 - 26 Meeting Room
 - 27 Vending

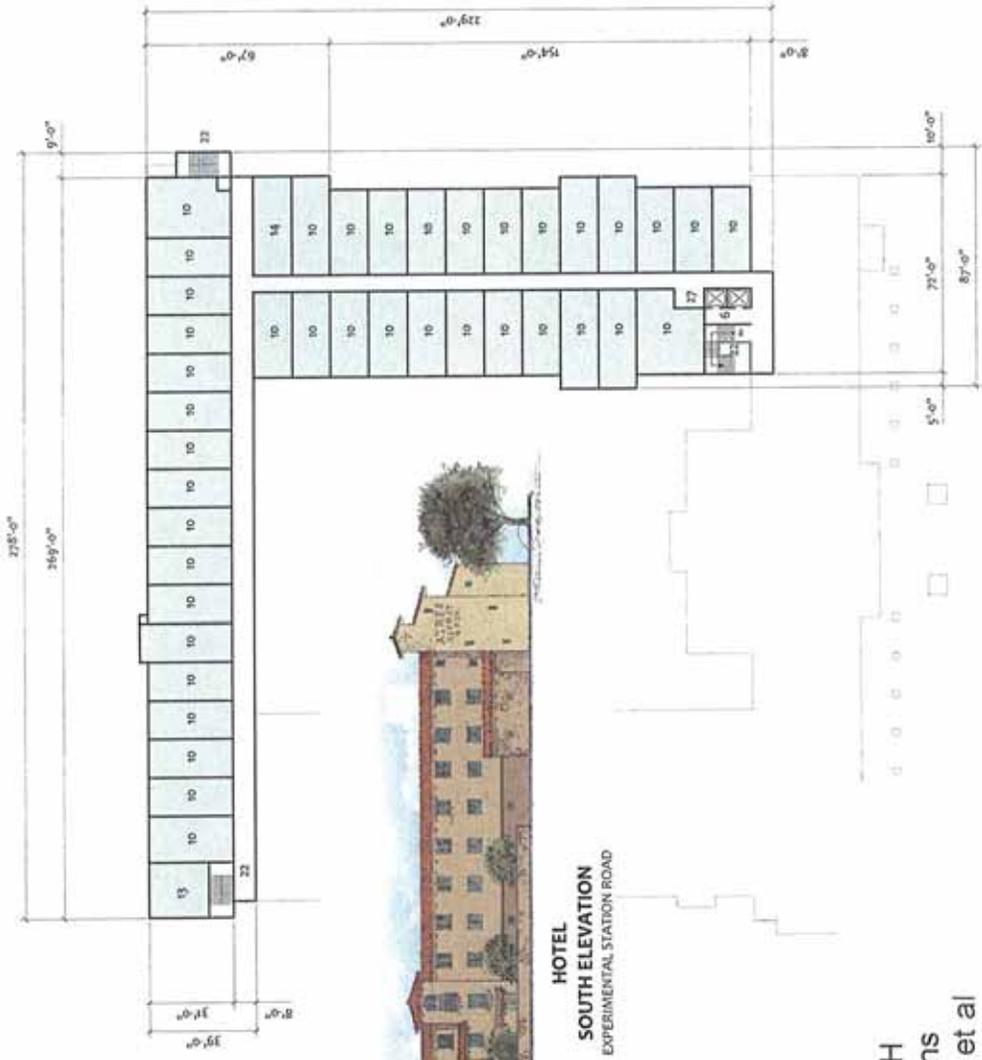


Exhibit H
Elevations
 PD 12-001 et al
 (Ayres, Ltd.)



Steven Puglisi
ARCHITECTURE
 1511 W. 10th Street
 Phoenix, AZ 85003-1982 Fax: 602.552.1989

AYRES RESORT & SPA
 BY AYRES HOTEL
 Buena Vista Road
 Paso Robles, California

Hotel Third Floor Plan Option



DATE	BY	REVISION



WELLNESS CENTER FLOOR PLAN

5,584 square feet
364 s.f. Covered Entry x 4 = 1,456 square feet



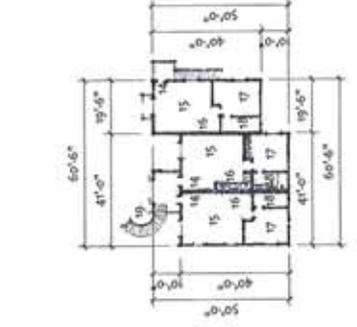
WINE TASTING BUILDING FLOOR PLAN

5,014 square Footage
312 square foot Covered Entry



EXTENDED STAY EIGHT - PLEX FLOOR PLAN

6,280 square feet



EXTENDED STAY SIX - PLEX FLOOR PLAN

4,800 s.f. per Unit x 6 = 4,800 s.f.



- ROOM LEGEND**
- 1 Covered Entry
 - 2 Lobby
 - 3 Front Desk
 - 4 Staff Room
 - 5 Staff Room
 - 6 Restroom
 - 7 Treatment Room
 - 8 Lounge

- 9 Tasting Bar
- 10 Sales and Merchandise
- 11 Covered Entry
- 12 Reception
- 13 Restroom
- 14 Bathroom
- 15 Stairway to Upper



Exhibit I
Floor Plans / Elevations
PD 12-001 et al
(Ayres, Ltd.)

Wellness Center
Wine Tasting Building
Extended Stay Buildings

AYRES RESORT & SPA
By AYRES HOTEL
Buena Vista Road
Paso Robles, California

Steven Puglisi
ARCHITECTURE
287 Buena Vista, San Luis Obispo, CA 93426
Phone: 805.335.1422 Fax: 805.335.1425





HOTEL COLOR & MATERIALS
 US Tile - 5 Tile - Rustic Palermo Blend
 Stucco - CL 1816-A - Debut
 Veneer - El Dorado Stone -
 Rafter Tails - Frazer 8766 N - Caribou



EXTERIOR LIGHTING
 FIXTURES ARE A REPRESENTATION OF THE PROPOSED STYLING



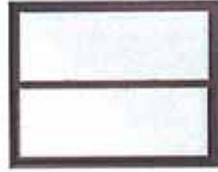
EXTENDED STAY 506 PLEX COLOR & MATERIALS
 US Tile - 5 Tile - Carmel Blend
 Stucco - Frazer CL 1042 D - Frable Wheat
 Rafter Tails - Frazer 8766 N - Caribou



TUSCAN STYLE EXTERIOR DOOR
 STAINED
 DOORS ARE A REPRESENTATION OF THE PROPOSED STYLING



EXTENDED STAY EIGHT PLEX COLOR & MATERIALS
 US Tile - 5 Tile - Rustic Palermo Blend
 Stucco - Frazer CL 1707 N - Thai-Style
 Rafter Tails - Frazer 8766 N - Caribou



MILGARD VINYL WINDOW
 CHOCOLATE FRAME COLOR



VILLAS COLOR & MATERIALS
 US Tile - 5 Tile - Rustic Palermo Blend
 Stucco - Frazer CL 1816-A - Debut
 Rafter Tails - Frazer 8766 N - Caribou



WINE TASTING COLOR & MATERIALS
 US Tile - 5 Tile - Carmel Blend
 Veneer - El Dorado Stone -
 Rafter Tails - Frazer 8766 N - Caribou



WELLNESS CENTER COLOR & MATERIALS
 US Tile - 5 Tile - Carmel Blend
 Stucco - Frazer CL 1814 D - FrontRunner
 Rafter Tails - Frazer 8766 N - Caribou



Steven Puglisi
ARCHITECTURE
 3433 Santa Monica Blvd, Suite 100, Santa Monica, CA 90407
 Phone: 310.395.1767 Fax: 310.395.1800

AYRES RESORT & SPA
 BY AYRES HOTEL
 Buena Vista Road
 Paso Robles, California

COLOR - MATERIALS

Exhibit J
Materials / Color Board
PD 12-001 et al
(Ayres, Ltd.)

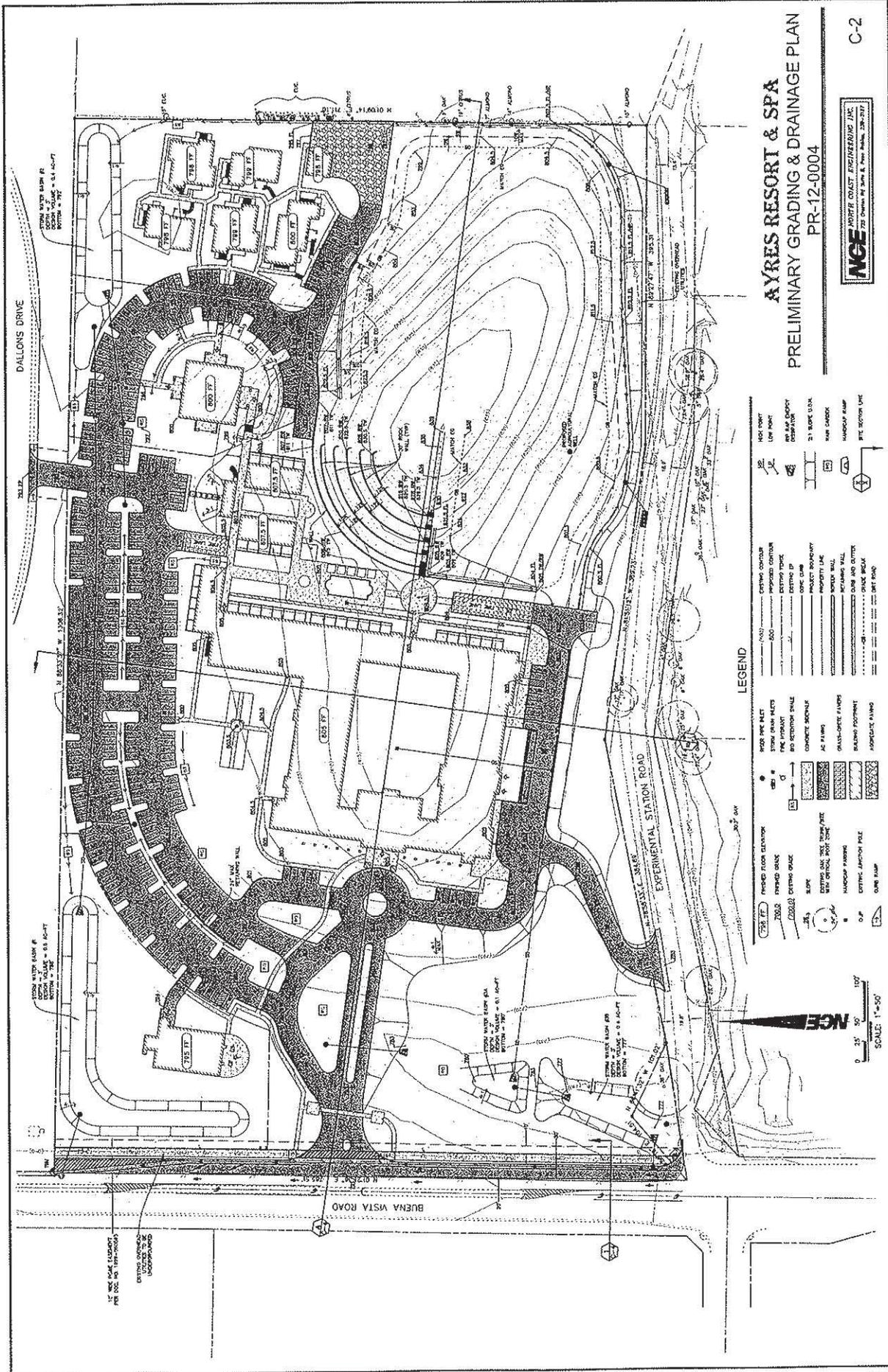


Exhibit L
 Prelim. Garding/Drainage
 PD 12-001 et al
 (Ayres, Ltd.)



Tree legend

- Valley Oak
- Coast Live Oak
- Olive
- Italian Stone Pine
- Chinese Pistache
- Bradford Pear
- Raywood Ash
- Crepe Myrtle
- Lombardy Poplar
- Italian Cypress
- Fruit / Nut Trees

Planting Area legend

- Resort Gardens
- Parking & Transitional Edges
- Vineyard / Agrarian Zone
- Natural Landscape Edge
- Natural / Oak Woodland
- Lawn / Meadow
- Bioswale

REFER TO SHEET L-2 FOR PROPOSED PLANT MATERIALS LIST

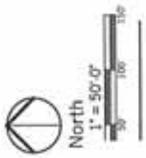
Olive Orchard Note:
Final layout of olive trees in seasonal percolation basins to be determined in final design. Refer to Grading Plan C-2.



**Conceptual Landscape Plan
Ayres Resort & Spa**

Buena Vista Road, Paso Robles, CA

**Exhibit O
Conceptual Landscape Plan
PD 12-001 et al
(Ayres, Ltd.)**



L-1

January 20, 2012

Landscape Character



Photo depicts landscape character envisioned for the resort gardens and courtyard of the Ayres Resort and Spa.

GENERAL WATER CONSERVATION NOTES

Planting and irrigation shall be designed to conserve water. The following factors have been incorporated to aid in the success of the project landscape:

- 1) Irrigation system to be a fully automatic system utilizing low-precipitation spray heads and/or drip irrigation. Irrigation hydrozones shall be separated with control valves and controller stations into appropriate and compatible zones. All valves shall have pressure regulators and filters.
- 2) Plant materials proposed are selected for their compatibility to climatic and site conditions and for drought tolerance.
- 3) All planter beds shall be mulched with a 2" minimum layer of organic mulch throughout.
- 4) Areas of mowed lawn are used sparingly to reduce irrigation demand.

Low Impact Development (LID) for Stormwater Management.

LID Goals:

1. Conserve natural areas, soil and vegetation.
2. Preserve natural drainage patterns.
3. Minimize grading and ground disturbance.
4. Minimize soil compaction.
5. Minimize and disconnect impervious surfaces.
6. Direct runoff to pervious areas.

LID Planning Principles:

1. Zero Discharge of Stormwater.
2. Treat Stormwater Runoff
3. Reduce Stormwater Runoff

Best Management Practices (BMPs):

Some or all of the BMPs shown at right may be incorporated into the final project design.

Plant Materials List

	Native Oak Trees Quercus agrifolia Quercus lobata	California Live Oak Valley Oak
	Native Deciduous / Riparian Trees Acer macrophyllum Aesculus californica Cercis occidentalis Umbellularia californica	Bigleaf Maple California Buckeye Western Redbud California Bay Laurel
	Deciduous Trees Fraxinus oxycarpa 'Roywood' Liquidambar styraciflua Pistacia chinensis Populus nigra 'Italica' Populus alba Robinia ambigua 'Purple Robe'	Roywood Ash Sweet Gum Chinese Pistache Lombardy Poplar Bradford Pear Purple Robe Locust
	Olive Trees Olea europaea	Olive
	Conifer Trees Cupressus sempervirens Pinus pinea Pinus sabiniana Pinus torreyana	Italian Cypress Italian Stone Pine Gray Pine Torrey Pine
	Small Accent Trees Abutilon 'Marnia' Lagerstromia indica Chitalpa tashkentensis Acer japonicum	No Common Name Crape Myrtle Chitalpa Japanese Maple
	Fruit and Nut Trees Almond Pistacio	

Planting Areas:

	1. Natural Zone Native Oak Trees Evergreen Grasses	
	2. Natural Edge Zone Oak Trees: small & specimen accent Accent Trees: Cornifers Cottonwoods Native Perennial Grasses Native / Mediterranean Shrubs: Cistus sp. (Rockrose) Baccharis sp. (Dwarf Coyote Brush) Rhamnus californica (Coffeeberry) Heteromeles arbutifolia (Toyon)	
	3. Agrarian Zone Lavender Fields Vineyards Olive Grove Fruit and Nut Trees	
	4. Parkway & Transitional Edges Ornamental Grasses Cistus sp. (Rockrose) Lavender Salvia (Sage) Artemisia 'Powis Castle' Baccharis pilularis Rosmarinus officinalis (Dwarf Rosemary) Berberis 'Cherry Bomb'	
	6. Lawn / Meadow Zone Turf-type Tall Fescue or Carex praegracilis	
	7. Bioswale / Drainage Baccharis pilularis Carex sp. (Sedge) Juncus sp. (Rush) Muhlenbergia rigens (Dear Grass) Rhamnus californica (Coffeeberry)	
	5. Resort Garden Zone SHRUBS: Buxus japonica Cotoneaster parvifolia (Red Clusterberry) Ligustrum 'Texanum' (Glossy Privet) Heteromeles arbutifolia (Toyon) Fuchsia sp. Photinia fraseri Colocasia peltata Berberis 'Cherry Bomb' GROUND COVERS: Cotoneaster sp. Euonymus sp. Hemerocallis hybrid (Daylily) Honeyuckle Rosmarinus officinalis (Dwarf Rosemary) Santolina Roses Ornamental Grasses	



Low Impact Development Best Management P



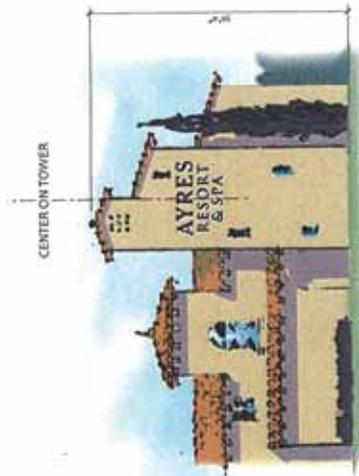
Landscape Concept
Ayres Resort & Spa

Buena Vista Road, Paso Robles, CA

Exhibit P
Landscape Concept Plan
PD 12-001 et al
(Ayres, Ltd.)

L-2

January 30, 2012



BUILDING WALL SIGN A
 scale 3/32" = 1'-0"
 INTERNALLY ILLUMINATED REVERSE PAN CHANNEL LETTER
 SEE GRAPHIC BELOW

ITEM NO.	DESCRIPTION	QTY	UNIT
1	Channel Letter	1	EA
2	Mounting Hardware	1	EA
3	Electrical Connections	1	EA



MONUMENT SIGN B
 scale 3/8" = 1'-0"
 EXTERNALLY ILLUMINATED SINGLE-FACED/FREESTANDING ENTRY SIGN
 QTY (1) SET
 18.00 SQ. FT.
 CALCULATION INCLUDES LETTERS OF SIGN ONLY



MONUMENT SIGN C
 scale 3/8" = 1'-0"
 EXTERNALLY ILLUMINATED SINGLE-FACED FREESTANDING ENTRY SIGN
 QTY (1) SET OF (2) BOOKEND SIGNS ON EITHER SIDE OF ENTRY
 18.00 SQ. FT. EACH - 36.00 SQ. FT. TOTAL FOR BOTH SIGNS
 CALCULATION INCLUDES LETTERS OF SIGN ONLY

PER CITY OF PASO ROBLES CODE:
 MONUMENT OR GROUND
 THESE ARE LIMITED TO A TOTAL OF 35 SQUARE FEET IN AREA, AND MAY BE NO MORE THAN SIX FEET HIGH
 EXCEPT IN THE OFFICE PROFESSIONAL (OP) ZONING DISTRICT, WHERE THEY ARE LIMITED TO FIVE FEET IN HEIGHT AND NO MORE THAN 34 SQ. FT. IN AREA.
 THE SQUARE FOOTAGE OF A MONUMENT SIGN IS NOT COUNTED TOWARDS THE BUILDING-MOUNTED SIGN AREA LIMITS.

Exhibit Q
 Signage Plan
 PD 12-001 et al
 (Ayres, Ltd.)

AYRES RESORT & SPA
 AN AYRES HOTEL
 Buena Vista Road
 Paso Robles, California

S1.0

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
PARCEL MAP PR 12-004
(Ayres Paso Robles, Ltd.)
APN: 025-391-014

WHEREAS, Tentative Parcel Map PR 12-004, has been submitted by Doug Ayres on behalf of Ayres Paso Robles, LTD. to subdivide a 20 acre parcel into three parcels; and

WHEREAS, the Parcel Map has been filed in conjunction with a development plan to establish a 225 room resort hotel that would include a wellness/spa facility, and a wine tasting/retail boutique; and

WHEREAS, the Parcel Map would result in a 1.67 acre parcel that the wine tasting/boutique would be built (Parcel 1), an 18.48 acre parcel where the resort hotel would be built (Parcel 2), and 1.25 acre parcel for the wellness spa facility (Parcel 3); and

WHEREAS, the project is proposed to be located on the 20-acre site at the northeast corner of Buena Vista Drive and Experimental Station Road; and

WHEREAS, a public hearing was conducted by the Planning Commission on June 26, 2012, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed Development Plan, Conditional Use Permit, General Plan Amendment, Rezone, Specific Plan Amendment, Tentative Parcel Map, and associated Mitigated Negative Declaration; and

WHEREAS, on June 26, 2012, the Planning Commission recommended that the City Council approve the PD 12-001, and CUP 12-003, and associated Mitigated Negative Declaration; and

WHEREAS, a public hearing was conducted by the City Council on July 17, 2012, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed development plan, rezone and associated Mitigated Negative Declaration; and

WHEREAS, a resolution was adopted by the City Council approving a Mitigated Negative Declaration status for this project, and a Mitigated Negative Declaration was prepared for the proposed Planned Development and Rezone applications in accordance with the California Environmental Quality Act; and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the City Council makes the following findings as required by Government Code Sections 66474 and 65457:

1. The proposed tentative parcel map is consistent with the adopted General Plan for the City of El Paso de Robles in that it provides for resort type development;

2. As conditioned the design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan and Zoning Ordinance;
3. The site is physically suitable for the type of development proposed;
4. The site is physically suitable for the proposed density of development;
5. The design of the land division is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
6. The design of the land division and types of improvements proposed are not likely to cause serious public health problems;
7. The design of the land division and the type of improvements proposed will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles, does hereby grant tentative map approval for Parcel Map PR 12-004 subject to the following conditions of approval:

STANDARD CONDITIONS:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" of the resolution approving PD 12-001 and Conditional Use Permit 12-003.

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 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:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Tentative Parcel Map
B	Development Plan

3. PR 12-004 would allow the subdivision of the existing 20-acre site into three lots, where Parcel 1 would be 1.67 acres, Parcel 2 would be 18.48 acres, and Parcel 3 would be 1.24 acres. The project approval shall expire on July 17, 2014 unless a time extension request is filed with the Community Development prior to expiration.
4. The development of each parcel shall be consistent with the approved development plan for the Ayres Resort Project, Exhibit B.
5. Prior to or concurrent with the recording of the Parcel Map, a reciprocal parking and access agreement between Parcel 1, 2 and 3 shall be recorded.

PASSED AND ADOPTED THIS 17th day of July, 2012 by the following Roll Call Vote:

AYES:

NOES:

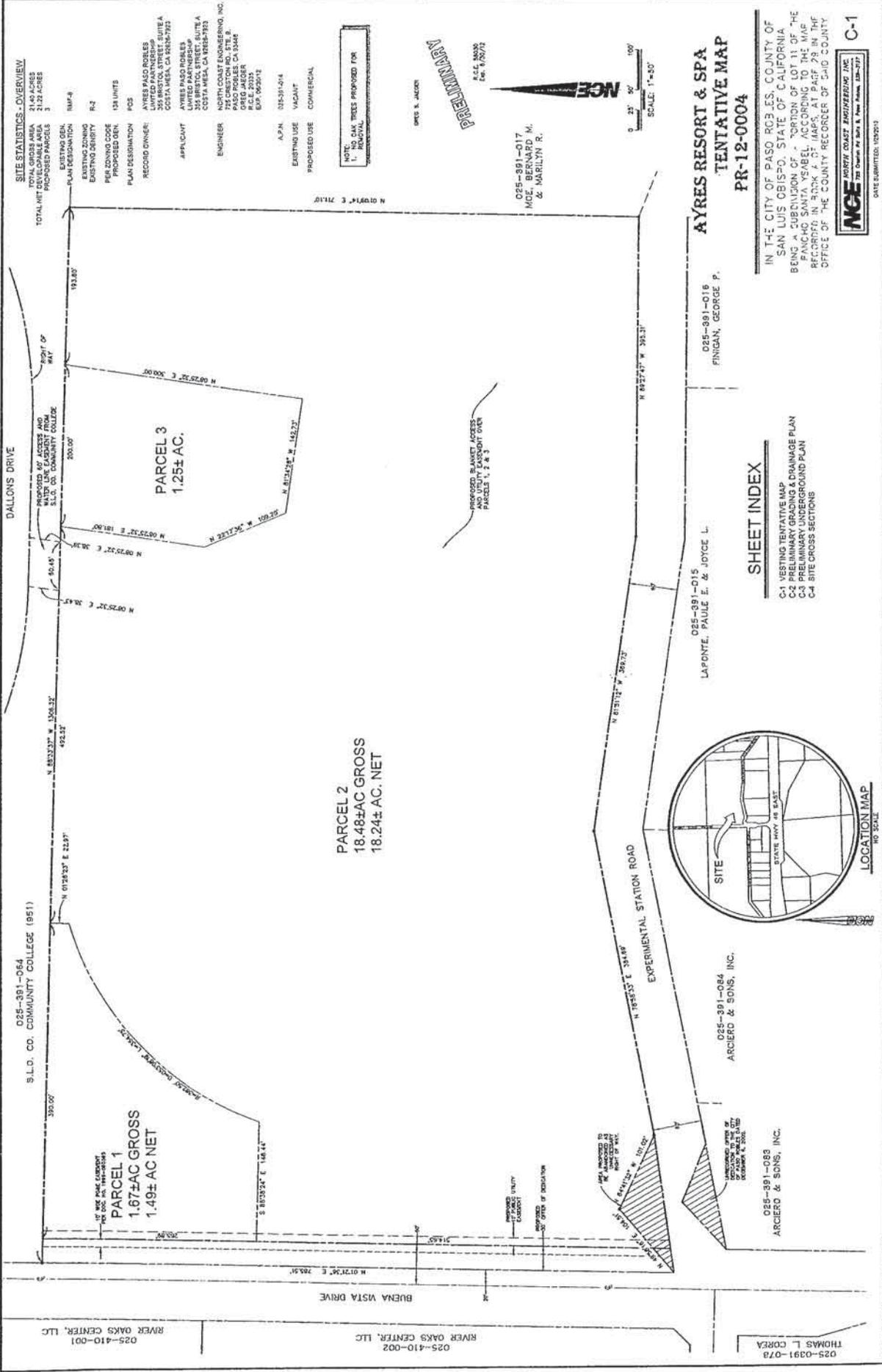
ABSENT:

ABSTAIN:

MAYOR DUANE PICANCO

ATTEST:

CARYN JACKSON, DEPUTY CITY CLERK



SITE STATISTICS - OVERVIEW

TOTAL GROSS AREA
21.60 ACRES
TOTAL NET AREA
1.74 ACRES
PROPOSED PARCELS
3

EXISTING ZONING
R-2
PROPOSED ZONING
R-2
EXISTING DENSITY
131 UNITS
PROPOSED DENSITY
131 UNITS
PLAN DESIGNATION
POS

RECORD OWNER:
AYRES PACIFIC RESORTS
LIMITED PARTNERSHIP
355 BRISTOL STREET, SUITE A
COSTA MESA, CA 92626-7923

APPLICANT:
AYRES PACIFIC RESORTS
LIMITED PARTNERSHIP
355 BRISTOL STREET, SUITE A
COSTA MESA, CA 92626-7923

ENGINEER:
NORTH COAST ENGINEERING, INC.
10000 WILSON AVENUE, SUITE 200
PASO ROBLES, CA 94381
DREG JACOB
TEL: 707.779.1100
EXT: 0020712

A.P.N. 025-31-014
EXISTING USE VACANT
PROPOSED USE COMMERCIAL

NOTE:
NO OAK TREES PROPOSED FOR
REMOVAL

DATE SUBMITTED: 10/20/13

SCALE: 1"=40'

0 25' 50'

100'

AYRES RESORT & SPA

DREG S. JACOB

A.C.E. MARK FOR 1/10/14

025-391-017
MICE, BERNARD M.
& MARILYN R.

**AYRES RESORT & SPA
TENTATIVE MAP
PR-12-0004**

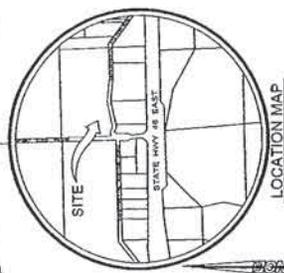
IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION OF A PORTION OF LOT 11 OF THE FANCICO SANTA YSABEL ACCORDING TO THE MAP RECORDED IN BOOK 7, 57 MAPS, AT PAGE 29 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

NCE
NORTH COAST ENGINEERING, INC.
10000 WILSON AVENUE, SUITE 200
PASO ROBLES, CA 94381
DATE SUBMITTED: 10/20/13

C-1

SHEET INDEX

- C-1 VESTING TENTATIVE MAP
- C-2 PRELIMINARY GRADING & DRAINAGE PLAN
- C-3 PRELIMINARY UNDERGROUND PLAN
- C-4 SITE CROSS SECTIONS



LOCATION MAP
NO SCALE

025-0391-078
THOMAS L. COREA
025-410-002
RIVER OAKS CENTER, LLC
025-410-001
RIVER OAKS CENTER, LLC

025-391-088
ARCIERD & SONS, INC.

025-391-084
ARCIERD & SONS, INC.

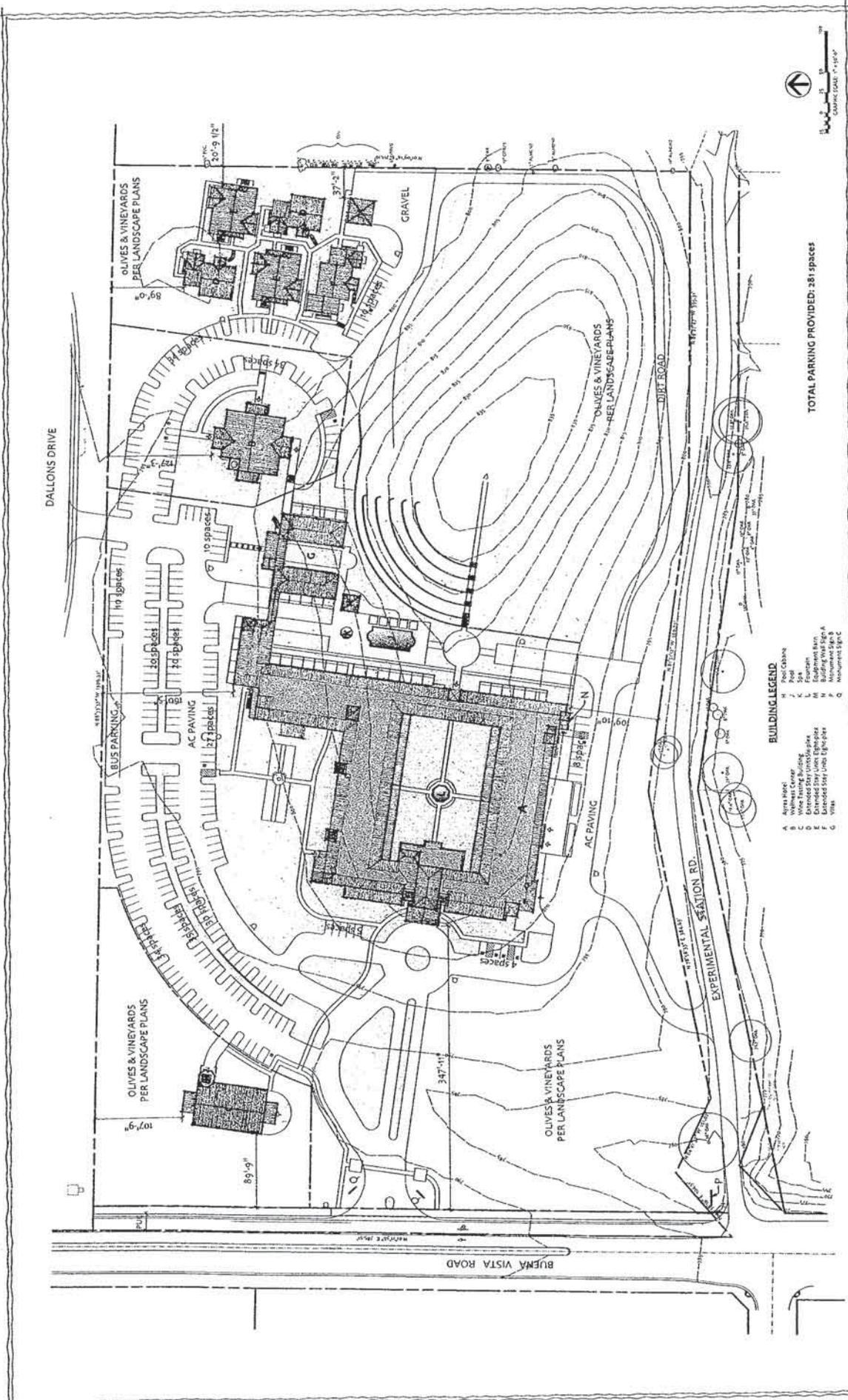
025-391-015
LAPONTE, PAULE E. & JOYCE L.

025-391-016
FINIGAN, GEORGE P.

025-391-017
MICE, BERNARD M.
& MARILYN R.

025-31-014

025-391-018
AYRES PACIFIC RESORTS
LIMITED PARTNERSHIP



SHEET #
P1.0

DATE:	11/20/2012
SCALE:	AS SHOWN
DRAWN BY:	DAVID L. WILSON
CHECKED BY:	DAVID L. WILSON
PROJECT:	AYRES RESORT & SPA
LOCATION:	BUENA VISTA ROAD, PASO ROBLES, CA

Architectural Site Plan

AYRES RESORT & SPA
THE AYRES HOTEL
 Buena Vista Road
 Paso Robles, California

Steven Puglisi
ARCHITECTURE
165 DOWN TOWN BLVD. SUITE 100
 PASO ROBLES, CA 93424
 PHONE: 805.355.1995 FAX: 805.355.1990

TOTAL PARKING PROVIDED: 281 spaces

- BUILDING LEGEND**
- A. Main Hotel
 - B. Welcome Center
 - C. Wine Tasting Building
 - D. Extended Stay Units
 - E. Extended Stay Units
 - F. Extended Stay Units
 - G. Villa
 - H. Pool
 - I. Cabana
 - K. Spa
 - L. Gym
 - M. Equipment Room
 - N. Building Wash Sign
 - O. Washrooms
 - P. Sign

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:
CITY ENGINEER
COMMUNITY DEVELOPMENT DEPT.
CITY OF EL PASO DE ROBLES
1000 SPRING STREET
PASO ROBLES, CA 93446

RESOLUTION NO. 12-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
VACATING A PORTION OF UNUSED RIGHT-OF-WAY OF EXPERIMENTAL STATION ROAD

WHEREAS, abandonment of a right-of-way fragment of Experimental Station Road will allow for the orderly development of a hotel and recordation of a parcel map on adjacent properties; and

WHEREAS, the unused portion of right-of-way of Experimental Station Road is not specifically shown in the Circulation Element of the General Plan; and

WHEREAS, Section 65402(a) of the Government Code provides that "...no street shall be vacated or abandoned, ... if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such... street vacation or abandonment... has been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof"; and

WHEREAS, at its meeting of June 26, 2012, the Planning Commission recommended that the City Council find that the proposed vacation of a portion of Experimental Station Road as described in Exhibits "A" and "B" to be consistent with the General Plan and approve said vacation; and

WHEREAS, the unused portion of right-of-way of Experimental Station Road have not been shown as necessary for access to any other private properties; and

WHEREAS, the portion of Experimental Station Road considered for abandonment has been impassable for vehicle travel for more than five years; and

WHEREAS, no public money has been expended for maintenance of the portion of Experimental Station Road considered for abandonment; and

WHEREAS, pursuant to Streets and Highways Code 8331, this portion of Experimental Station Road may be considered for summary vacation; and

WHEREAS, based on the staff report, staff presentation and having heard all evidence offered by any person interested in the proposed vacation, the City Council of the City of El Paso de Robles finds that the portion of Experimental Station Road described in Exhibits "A" and "B" attached to this Resolution, is unnecessary for present or prospective public use.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY COUNCIL OF EL PASO de ROBLES AS FOLLOWS:

SECTION 1: The proposed vacation of a portion of Experimental Station Road as shown on Exhibits "A" and "B" is consistent with the General Plan for the City of El Paso de Robles.

SECTION 2: The subject portion of Experimental Station Road as described on Exhibits "A" and "B" be vacated for public purposes.

SECTION 3: That the City Clerk of the City of El Paso de Robles is authorized to cause a certified copy of this Resolution to be recorded in the office of the County Clerk Recorder, County of San Luis Obispo, State of California.

SECTION 4: The above Recitals are incorporated into this Resolution.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of July, 2012 by the following vote:

AYES:

NOES:

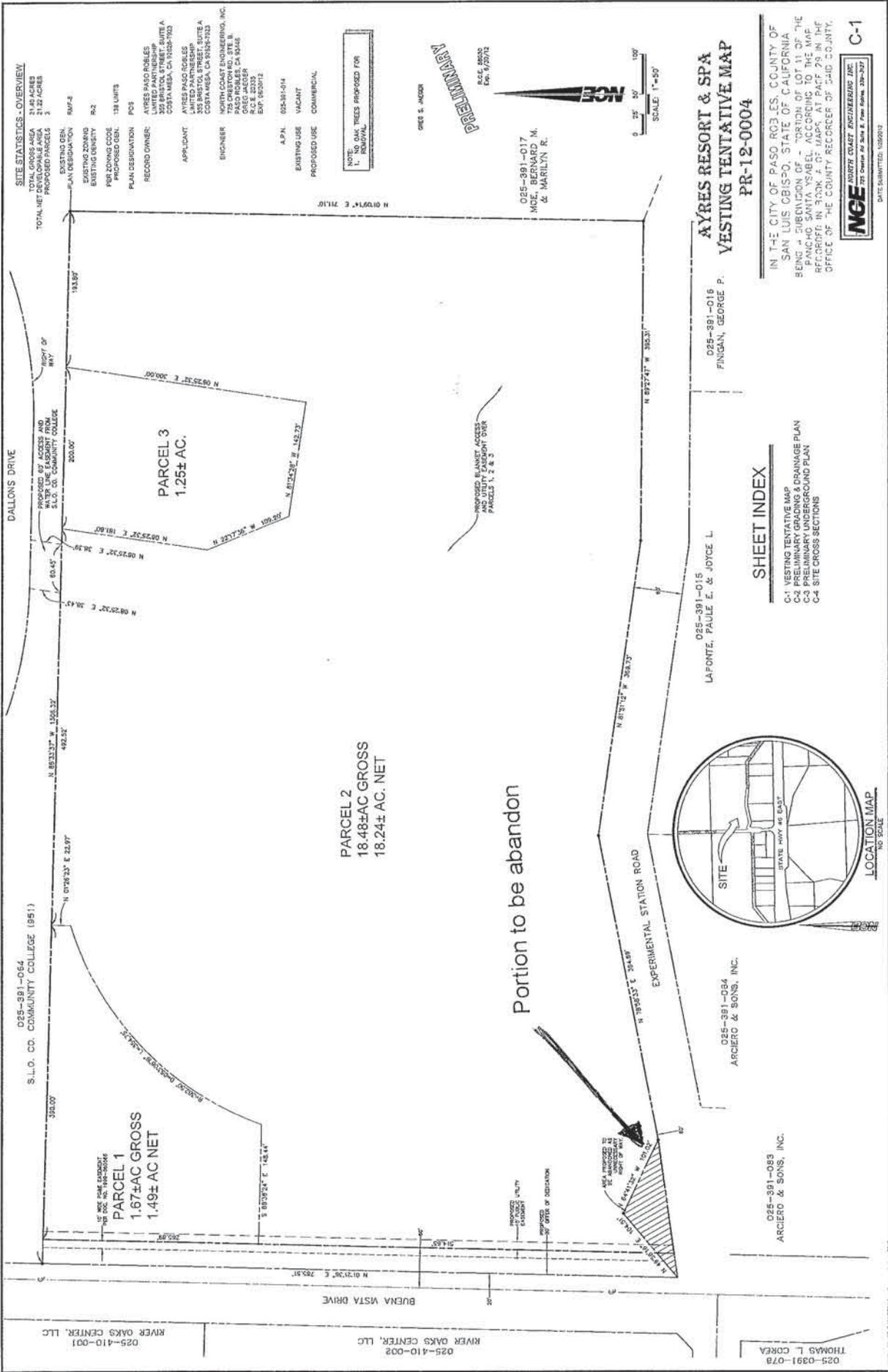
ABSTAIN:

ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk



SITE STATISTICS - OVERVIEW

TOTAL GROSS AREA 31.40 ACRES
 TOTAL NET DEVELOPABLE AREA 3.22 ACRES
 PROPOSED TRIGERS 864±

PLAN DESIGNATION RMP-2
 EXISTING ZONING R-2
 PLANNING CODE 138 UNITS
 PROPOSED CODE PCS

RECORD OWNER: AYRES PASO ROBLES
 302 BRISTOL STREET, SUITE A
 COSTA MESA, CA 92626-7923

APPLICANT: AYRES PASO ROBLES
 LIMITED PARTNERSHIP
 SUITE A
 COSTA MESA, CA 92626-7923

ENGINEER: NORTH COAST ENGINEERING, INC.
 752 CHESTNUT RD., STE. 111
 SAN JOSE, CALIF. 95128
 R.G. & S.2035
 EXP. 10/31/12

A.P.N. 025-391-014
 EXISTING USE VACANT
 PROPOSED USE COMMERCIAL

NOTE: NO OAK TREES PROPOSED FOR REMOVAL

PREP. S. JACOB
 DATE: MARCH 2012
 EXP. 6/30/12

025-391-017
 MCE, BERNARD M.
 & MARILYN R.

025-391-016
 FINIGAN, GEORGE P.

025-391-015
 LAFONTE, PAULE E. & JOYCE L.

025-391-084
 ARCIZO & SONS, INC.

025-391-083
 ARCIZO & SONS, INC.

025-410-002
 RIVER OAKS CENTER, LLC

025-410-001
 RIVER OAKS CENTER, LLC

025-0391-078
 THOMAS L. COREA

AYRES RESORT & SPA
 VESTING TENTATIVE MAP
 PR-12-0004

IN THE CITY OF PASO ROBLES, COUNTY OF
 SAN LUIS OBISPO, STATE OF CALIFORNIA
 BEING A SUBDIVISION OF A PORTION OF LOT 11 OF THE
 PANCHO SANTA YSABEL, ACCORDING TO THE MAP
 RECORDED IN BOOK 17 OF PLATS, PAGE 10, OF THE
 OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

NGE NORTH COAST ENGINEERING, INC.
 222 Central Ave. Suite 8, Pismo Beach, CA 93427
 DATE SUBMITTED: 03/09/12

C-1

SHEET INDEX

C-1 VESTING TENTATIVE MAP
 C-2 PRELIMINARY GRADING & DRAINAGE PLAN
 C-3 PRELIMINARY GRADING & DRAINAGE PLAN
 C-4 SITE CROSS SECTIONS

LOCATION MAP
 NO SCALE

Exhibit A
 Street Abandonment 12-001
 (Ayres, Ltd.)

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

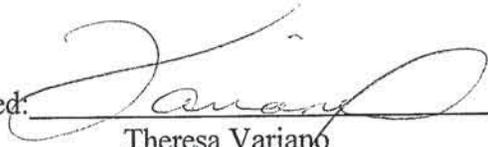
Newspaper: Tribune

Date of Publication: May 11, 2012

Hearing Date: May 22, 2012
(Planning Commission)

Project: Mitigated Negative Declaration, General Plan Amendment 12-001, Rezone 12-001, Specific Plan Amendment 12-001, Planned Development 12-001, Tentative Parcel Map 12-004, Conditional Use Permit 12-003 and Waiver 12-001 (Ayres)

I, Theresa Variano, employee of the Community Development Department, Planning Division, of the City of El Paso de Robles, do hereby certify that this notice is a true copy of a published legal newspaper notice for the above named project.

Signed: 
Theresa Variano

forms\newsaffi.691

CITY OF EL PASO DE ROBLES

NOTICE OF PUBLIC HEARING AND NOTICE OF INTENT TO CONSIDER AND RECOMMEND APPROVAL OF A MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT 12-001, REZONE 12-001, SPECIFIC PLAN AMENDMENT 12-001, PLANNED DEVELOPMENT 12-001, TENTATIVE PARCEL MAP 12-004, CONDITIONAL USE PERMIT 12-003 AND WAIVER 12-001

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, June 26, 2012 at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider a recommendation to City Council for approval of a Mitigated Negative Declaration in accordance with the provisions of the California Environmental Quality Act (CEQA) for the following project:

- **General Plan Amendment:** to change the existing RMF-8 (Residential Multi-Family, 8-units per acre) to Parks and Open Space (POS) with a Resort Lodging Overlay (R/L) land use designation;
- **Rezone:** to change the existing R2 (Residential Multi-Family duplex/triplex) zoning designation to Parks and Open Space (POS) with a Resort Lodging Overlay (R/L) zoning;
- **Specific Plan Amendment:** to amend the Borkey Area Specific Plan to allow for the project which deviates from the adopted specific plan land use pattern, and establish updated Specific Plan fees;
- **Development Plan:** to establish a 225 room resort hotel with wellness/spa facility, conference room, restaurant, extended stay units (included within the 225 rooms proposed), wine tasting/retail boutique, and ancillary parking, landscaping, gardens, orchards, and vineyards;
- **Conditional Use Permit:** to allow for resort hotels in the POS zoning district, and to exceed the applicable height limitations; and
- **Waiver:** to not install frontage improvements per City Standards along Experimental Station Road.

The public review period for the Mitigated Negative Declaration (MND) is May 25, 2012 through June 23, 2012. The proposed MND may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction. A copy of the MND is also available on the City website at: <http://www.prcity.com/government/departments/commdev/index.asp>.

Written comments on the proposed project and corresponding MND may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to sdecarli@prcity.com, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Susan DeCarli at (805) 237-3970 or email at sdecarli@prcity.com.

If you challenge this application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

Susan DeCarli, AICP
City Planner
May 25, 2012

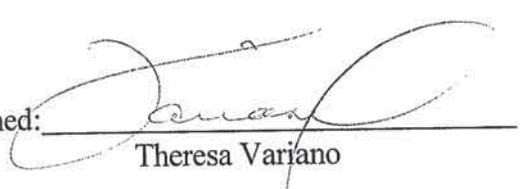
6987622

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Theresa Variano, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Mitigated Negative Declaration, General Plan Amendment 12-001, Rezone 12-001, Specific Plan Amendment 12-001, Planned Development 12-001, Tentative Parcel Map 12-004, Conditional Use Permit 12-003 and Waiver 12-001 (Ayres) on this 23rd day of May 2012.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____

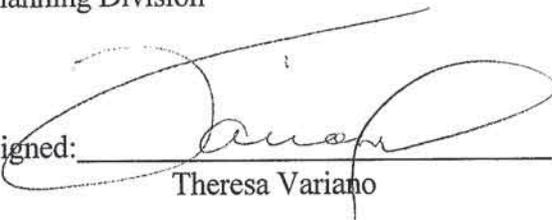

Theresa Variano

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Theresa Variano, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Street Abandonment 12-001 (Ayres Paso Roblec, Ltd.) on this 14th day of June 2012.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____


Theresa Variano