TO: JAMES L. APP, CITY MANAGER

FROM: WARREN FACE, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: GENERAL PLAN AMENDMENT 14-002, REZONE 14-001, SPECIFIC PLAN AMENDMENT 14-002, CONDITIONAL USE PERMIT 14-006 AND PLANNED DEVELOMENT 14-003 - SAN ANTONIO WINERY, INC. 2610 BUENA VISTA DRIVE, APN: 025-391-075

DATE: JUNE 2, 2015

Needs: For the City Council to consider an application filed by Kirk Consulting on behalf of San Antonio Winery, requesting to expand the existing use of the property at 2610 Buena Vista Dr. (e.g. wine tasting room), and add approximately 12,000 sf of new mixed use development, including a restaurant, three (3) boutique retail spaces, and four (4) residential units (three (3) townhouse style above retail shops, and one freestanding residence).

Facts

1. The project site is located at 2610 Buena Vista Drive, on the southwest corner of Buena Vista Drive and State Route 46 East (SR 46E). See Attachment 1, Vicinity Map.

2. In order to accommodate the proposed project it is necessary to amend the General Plan, land use designation, amend the zoning on the City Zoning Map, and incorporate text changes in the Borkey Area Specific Plan, as follow:

    a) General Plan Amendment (resolution) – Modify the RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed Use Overlay (MU) (i.e. RMF-8-MU); and

    b) Rezone (ordinance) – Modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (MU) (i.e. R2-MU); and

    c) Specific Plan Amendment (ordinance) – Modify the Borkey Area Specific Plan, Subarea D, to allow multi-family residential units and mixed-use development; and

    d) Conditional Use Permit (resolution) – To allow expansion of commercial uses in the Borkey Area Specific Plan, Subarea D; and

    e) Planned Development (resolution) – Expand the existing use of the property and add approximately 12,000 sf of new mixed use development, including a restaurant, three (3) boutique retail

spaces, three (3) townhouse-style residential units above the retail spaces, and one (1) freestanding residence. The request also includes consideration of a 42-foot tall tower element on the proposed restaurant building, which would exceed the 35-foot height limit in the R2 zoning district.

3. The existing site is approximately 1.9 acres in area. The proposed development plan would remove the existing vineyard area, and intensify development of the site within the previously disturbed areas of the property. Development would not encroach within the drainage corridor or impact the critical root zones of existing native oak trees located on the northern part of the site.

4. The project would be accessed through the existing driveway access on Buena Vista Drive. There are currently 23 (unstriped) parking spaces that provide parking for the existing wine tasting room. The new buildings would require a total of 46 parking spaces for vehicles, and three (3) motorcycle parking spaces. The applicant will also include a bicycle rack for bicycle parking.

   The proposed site plan provides for a total of 61 parking spaces with the 23 existing parking spaces and the 38 new proposed spaces. (This includes five (5) extra parking spaces than required.) The parking space standards and calculation of required spaces for existing and new uses are as follows, and exceed the code requirements:

Land Use	Parking Standard	Total Required Number of Spaces
• **Residences: (1) 2-bed unit (3) 1-bed units**	1.5 spaces per 1-bed unit 2 spaces per 2-bed unit	6
• **Commercial Retail**	3 spaces per 1,000 sf	9
• **Restaurant**	5 spaces per 1,000 sf	31
• **Wine Tasting Room (including storage area)**	3 spaces per 1,000 sf wine tasting 1 space per 5,000 sf wine storage	10
Total Parking Spaces Required:		56
Total Parking Spaces Provided		61

5. The applicants are requesting that the City Council consider the tower element on the restaurant building to exceed the 35 foot height limit in the R2 zoning district. Section 21.20.130 of the Zoning Code allows exception to the height limit for architectural roof or tower elements, subject to approval of a site plan by the Development Review Committee (DRC). In this case, since a Planned Development (PD) is required, the height issue can be addressed with the review and approval of the PD.

6. 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 (MND) was prepared and circulated for public review and comment.

7. The Planning Commission considered this project at their meeting on April 8, 2015. While the Commission supported the project, they had concerns with the CEQA analysis because a formal water supply evaluation was not required for the general plan amendment. Therefore, the Commission recommended denial of the Mitigated Negative Declaration to the City Council (on a voted of 5 to 1, with a Commissioner absent). The Commission voted in favor of the GPA, Rezone, SPA, PD and CUP applications, and recommended approval of these applications to the City Council (with a voted of 5 to 1, with a Commissioner absent).

Analysis and Conclusion:

The Martin & Weyrich Tasting Room was originally established on this site in 1986, with approval of a Conditional Use Permit (CUP 86-005). Various additions and remodels have taken place over the years to the current facility, which is now owned and operated by San Antonio Winery, Inc.

<u>Development Plan</u>

The existing development of the site includes an attractively designed and landscaped wine tasting room, which incorporates Italian-themed Mediterranean architecture, and provides scenic amenities to the site and surroundings. The project includes removal of an existing small, "boutique" vineyard, and construction of approximately 12,000 s.f. of infill development in that area. The proposed project would continue the existing architectural theme. Additionally, there is an existing drainage/seasonal creek area with oak trees along north and western boundaries of the property. A wooded open space area is located on the south side of SR 46E, which helps maintain an attractive entrance to the City.

The proposed 42 foot tall tower element of the restaurant building is in keeping with the surrounding development pattern, although at a more appropriate scale. For example, the existing hotel buildings at the La Quinta Hotel located on the east side of Buena Vista are 3-stories in height and have a much larger building

mass and scale, and a taller tower element (60 feet). The other proposed buildings on the site are proposed to be one- and two-stories, and would be consistent with the R2 height limits. The building pads would be located below-grade of the highway, which would help to reduce the visual effect of the building massing.

The proposed changes to the General Plan, Zoning Ordinance, and Borkey Area Specific Plan for this property would not only allow for the intensification of uses to the San Antonio Winery Tasting Room, it would provide for mixed use infill development that would provide services (e.g. restaurant, shops) to surrounding residences and hotel developments. This may encourage people to drive less and provide for desirable services in the area. The specific text changes proposed for the Borkey Area Specific Plan, Subarea D, are shown below, with strike-out through text proposed to be deleted, and underlining for text proposed to be added.

Proposed Text Modifications - Subarea D

D-2 The existing commercial business located at the northwest corner of Buena Vista Drive and State Highway 46 (~~Martin Brother Winery~~ i.e. wine tasting room) shall be permitted to remain in place in this subarea, and shall be regarded as a legal use; expansion of the existing uses on the current parcel, however, may be permitted only under a revision to the Conditional Use Permit currently applicable to the site. Additional small-scale commercial uses (e.g. restaurant, retail, artisians, and support uses) and four residences (e.g. one 2-bedroom home and three attached 1-bedroom units above commercial spaces) may also be permitted with approval of an amendment to the applicable Conditional Use Permit.

The proposed project would be consistent with General Plan policies since it would allow for mixed-use development that would comply with General Plan Goal LU-1, which suggests the City strive to maintain a balanced community, where a majority of residents can live, work, and shop. It would also meet Action Item 2, of LU-1, by allowing projects in the Mixed-Use land use category.

It is important to note that with the approval of this General Plan Amendment and Rezone that the number of residential units allowed on this 1.9 acre parcel would be increased from two single-family residences (2 units per acre), to of up sixteen residential units (8 units per acre), however only four units are permitted under the development plan. In keeping with the General Plan population build-out estimate of 44,000, the development requested would reduce the overall number of "Unassigned Dwelling Units" identified in the General Plan from 594 to 578 units remaining units available.

Mitigated Negative Declaration / Water Supply Evaluation

As noted above, the Planning Commission recommended the City Council deny the MND, and approve the other project entitlements. However, in order to

approve the entitlements the Council would need to certify the MND for the project. The City Council must consider the Planning Commission's recommendation, but has full discretion to make its own decision on the MND.

The Commission's concern regarding the MND was centered on their interpretation of the City's adopted CEQA Guidelines (Section 5.3.D.) as it pertains to a requirement to prepare a Water Supply Evaluation (WSE) for Annexations and GPAs. The City's CEQA Guidelines state:

> ***D. Water Supply Evaluation for Proposed General Plan Amendments and Annexations:***
>
> *All CEQA documents for any proposed (1) general plan amendment that would increase residential density or commercial/industrial intensity, (2) general plan amendment that would increase demand for water, or (3) annexation shall be informed by an independent evaluation of the project's water supply needs and impacts on the City's water supply as set forth in the City's current Urban Water Management Plan (UWMP). The water supply evaluation may be required to include analysis of the project's impacts on regional water supplies in the case of proposed non-potable water demand. Said evaluation shall be prepared by a consultant of the City's choice who shall have demonstrated competence in water supply evaluation and familiarity with the City's UWMP. The cost of said evaluation shall be borne by the applicant(s), who shall be required to deposit with the City, in advance, sufficient funds to cover the cost of such evaluation.* ***The City will determine the appropriate scope of work for said evaluation****, which may include guidance from any or all elements specified in California Water Code Sections 10910 et seq. This requirement shall apply to all applications for such general plan amendments and/or annexations that have not been approved by the City Council as of January 1, 2014.*

This language was added to the Guidelines in January 2014. The intention of amending the CEQA Guidelines was to ensure that proposed development (that includes an annexation and/or a GPA), that would intensify the development potential of property above what was anticipated in the General Plan and Urban Water Management Plan, is thoroughly evaluated.

Typically, annexations and GPAs contemplate large development projects. In this situation, the proposed General Plan Amendment would allow for a very minor amount of new development (e.g. 14 more units above the two units allowed under the current General Plan Land Use Designation). The typical cost for a full WSE is approximately $20,000, and takes a minimum of six weeks to prepare. In this case, since the City has discretion on the scope of the water study necessary to understand the potential impacts on water resources, it was determined, after consultation with the City Engineer, Public Works Department, and City Attorney, that a full-scale WSE would not be justified, and would be an unnecessary barrier to development.

The majority of the Planning Commission (Commissioner Rollins opposed), did not agree with this determination.

The applicant provided additional documentation of project-specific water demand information that includes an estimate of the amount of water that would be required for the proposed project. Given the City's water supply available, as documented in the Initial Study/CEQA analysis, staff determined that the proposed project could be adequately served with the City's water supplies.

Additionally, as noted in bold above, the City has the authority to determine the appropriate scope of work for water evaluations. City staff was satisfied that the water resource analysis in the environmental document had evaluated the water supply and demands issues adequately, and complied with the intention of the City's CEQA Guidelines, and CEQA as whole.

Subsequent to the Planning Commission hearing, the applicant provided an addendum with further details on the water demand information. See Attachment 4. The conclusion of the additional information is that with the removal of existing turf and vineyard area, and with the return flow of wastewater, the project would result in a net benefit to water demand than the existing development. (put some numbers in here). Additionally, an existing onsite private well would be abandoned consistent with City policy, and the property would be served with City water.

The City Council has the option to require a full-scale WSE. If the City Council chooses this option, the MND will need to revise and recirculate for a 30-day public review, and then the Planning Commission and City Council will have to rehear the entire project. Alternatively, the Council may make the appropriate findings necessary to adopt the MND under consideration.

<u>Crosswalk and Bus Stop Conditions of Approval</u>

Another issue raised by the Planning Commission and the applicant, is in regard to Conditional Use Permit, Conditions of Approval (#5 & #6), for the applicant to install: 1) a transit stop bench and shade structure; and 2) installation of a crosswalk on Buena Vista Drive. The Planning Commission recommended deletion of these two conditions. The Commission was concerned that there isn't a clear nexus to require these improvements, and that the cost (which was undetermined at the time of their consideration of this project), could potentially be too financially onerous.

In regard to the transit stop, the Regional Transportation Authority (RTA) is planning to install transit stop signs on the west and east side of Buena Vista Drive in front of La Quinta Hotel and the frontage of the proposed San Antonia Mixed Use project. Providing transit rider amenities, such as a bus shelter, provides comfort to riders and encourages ridership. The proposed project will attract new traffic trips to the site, a portion of which may be for transit riders. Additionally, these transit stop amenities are

in keeping with transit policies of the City's General Plan, Circulation Element, which support multi-modal transportation, such as transit.

Circulation Element Policies:

> *Circulation Element Policy CE-1A:*
>
> *Action Item No. 2*
>
> *Set conditions of approval of development applications to provide access to 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.*
>
> *Action Item No. 16*
>
> *View all transportation improvements, new or retrofit, as opportunities to improve safety, access and mobility for all travelers and recognize bicycle, pedestrian, and transit modes as integral elements of the transportation system.*
>
> *Action Item No. 18*
>
> *Transportation systems and facilities should be planned, designed and constructed so as not to serve as barriers to community resources.*

It is appropriate to require new development, particularly when it is seeking a General Plan amendment for a mixed use project that increases development potential, to secure transportation improvements, including transit facilities.

The proposed project includes new mixed uses such as shops and a restaurant that will attract customers from the nearby neighborhoods and the hotels across the street on the east side of Buena Vista Drive. Currently, there is no safe pedestrian access or handicapped accessible route to cross Buena Vista Drive near the intersection of Buena Vista Drive and Experimental Station Road. The intersection is also at a skewed angle, which adds to the awkward, and potentially confusing and unsafe, way to cross the street. It is anticipated that hotel guests would walk to the new uses proposed at the project site. Crosswalk improvements were not contemplated when the hotels were approved because there was no attraction or cause for pedestrians to walk across Buena Vista Drive.

Pedestrian safety and encouragement is also supported with the above Circulation Element policies, as well as the policies noted below.

> *Action Item No. 19*
>
> *Transportation improvements shall improve accessibility and promote physical activity.*
>
> *Action Item No. 9*
>
> *Install all transportation improvements in accordance with current accessibility standards.*

Since the Planning Commission hearing of this project, staff has researched the minimum specific improvements that would be necessary to complete a safe pedestrian crosswalk at the intersection of Buena Vista Drive and Experimental Station Road, and has prepared a conceptual crosswalk design. The conceptual crosswalk improvements were reviewed by

W-Trans Transportation Engineering Consultants, (experts in the field of intersection improvements), to obtain feedback and guidance on how to design safe and accessible pedestrian improvements at the intersection. Their feedback, in conjunction with review by the City Engineer, indicates that the conceptual design provided in Attachment XX, would be adequate to provide safe access for pedestrians, including persons with disabilities, at this location. Improvements are proposed to include: (1) reconstruction of the northeast and northwest corners to allow for multi-directional accessible corners; (2) construction of a safe pedestrian refuge island in the center of Buena Vista Drive; (3) tapering of the sidewalk along the northwest side of Buena Vista Drive to provide for a widened sidewalk and corner extension; and (4) painting crosswalks on Buena Vista Drive and Experimental Station Road. The estimated cost for these improvements is approximately $50,000±.

The applicant expressed concerns at the Planning Commission meeting that they are already being required to pay their share of Transportation Impacts Fees (TIF), and that the costs of the bus shelter and crosswalk improvements are excessive when considering the project impacts. TIF fees are established to offset and mitigate development's impacts to the citywide transportation network. TIF fees are based on an adopted list of public transportation improvements identified in a needs study to support the TIF fee schedule (e.g. AB 1600 project improvement list). In this case, the improvements suggested are not on the AB 1600 list.

The justification for the crosswalk and bus stop is based on the general plan amendment for a new mixed use project that will create a destination that will attract pedestrians from the hotels across the street. If not but for the proposed project, there would not be a foreseeable increase in pedestrian traffic at this location that may result in pedestrian safety impacts. Therefore, it is staffs recommendation that the project be conditioned to require the improvements proposed in Conditions #5 and #6 of the attached resolution to approve the Planned Development and Conditional Use Permit.

Policy Reference: General Plan Land Use Element, Zoning Code, Borkey Area Specific Plan, 2006 Economic Strategy, and Oak Tree Ordinance.

Fiscal Impact: There are no specific fiscal impacts associated with approval of this project.

Options: After opening the public hearing and taking public testimony, that City Council take one of the actions listed below:

a. By separate motions:
   1) Adopt Resolution 15-xxx certifying the attached Mitigated Negative Declaration with findings (Attachment 9);
   2) Adopt Resolution 15-xxx approving General Plan Amendment 14-002, by adopting Resolution No. 15–XXX changing the RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed Use Overlay (MU) (i.e. RMF-8-MU) (Attachment 10);
   3) Introduce for first reading by title only Ordinance 15-xxx, approving Rezone 14-001 to amend the Zoning Map from R1-B4 to R2-MU and approving

Specific Plan Amendment 14-002 to amend the Borkey Area Specific Plan Section III, Page 19, Sub Area D (Attachment 11);

4) Adopt Resolution 15-xxx approving Planned Development 14-005 and Conditional Use Permit 14-014, to allow expansion of the property (e.g. wine tasting room), and add approximately 12,000 sf of new development, including a restaurant, three (3) boutique retail spaces, four (4) residential units (three (3) townhouse-style residential units above the retail spaces, and 1 freestanding residence), and a request for a 42-foot tall tower on the proposed restaurant building, which would exceed the 35-foot height limit in the R2 zoning district with conditions #5 (crosswalk) and #6 (bus shelter) deleted.(Attachment 12).

OR

Adopt Resolution 15-xxx approving Planned Development 14-005 and Conditional Use Permit 14-014, to allow expansion of the property (e.g. wine tasting room), and add approximately 12,000 sf of new development, including a restaurant, three (3) boutique retail spaces, four (4) residential units (three (3) townhouse-style residential units above the retail spaces, and 1 freestanding residence), and a request for a 42-foot tall tower on the proposed restaurant building, which would exceed the 35-foot height limit in the R2 zoning district with conditions #5 (crosswalk) and #6 (bus shelter) included. (Attachment 12 with Council motion to include the following conditions:

5. Prior to occupancy, the applicant shall place a cross-walk across the north leg of the Buena Vista Drive – Experimental Station Road intersection and construct curb extensions and ADA ramps to accept the new cross-walk in accordance with plans approved by the City Engineer.

6. Prior to occupancy, the applicant shall place a bus stop on Buena Vista Drive, south of Experimental Station Road, including sidewalk extension, red curbs, canopy and signs.)

5) Direct staff to prepare a formal Water Supply Evaluation for the General Plan amendment and revise and recirculate the proposed mitigated negative declaration prior to rehearing of the project.

b. Amend, modify, or reject the foregoing options.

Attachments:

1. Vicinity Map
2. Site & Grading Plans
3. Elevations and Building Massing Study
4. Water Demand Addendum Memorandum
5. City Engineer's Memo
6. Conceptual Crosswalk Design
7. Cost Estimate for Crosswalk Improvements
8. Initial Study – Draft Mitigated Negative Declaration
9. Draft Resolution to adopt a Mitigated Negative Declaration
10. Draft Resolution to approve General Plan Amendment 14-002
11. Draft Ordinance for Rezone 14-002 & SPA 14-002
12. Draft Resolution to approve PD 14-005 and CUP 14-014
13. Mail and Newspaper Affidavits

VACINITY MAP

Attachment 1
Vicinity Map

RECEIVED
NOV 20 2014
City of Paso Robles
Community Development Dept

Existing Pole Light

Site Lighting Legend

POLE LIGHTS TO MATCH EXISTING

(REFER TO ARCHITECTURE PLANS FOR PROPOSED BUILDING MOUNTED LIGHTS)

Existing Native Oak Trees

Perimeter Shrubs and Groundcovers

Existing Irrigated Native Meadow Grasses to remain

Evergreen Shade Trees
e.g. Rhus lancea, Arbutus 'Marina'

Deciduous Accent Trees

Shrubs and Ground Covers

Existing Evergreen Trees
e.g. Fruitless Olive, Rhus lancea

Evergreen Parking Lot Trees

Deciduous Screen Trees

STATE HIGHWAY 46 (EAST)

BUENA VISTA DRIVE

Preliminary Plant Materials List

Broad Leaf Evergreen Trees

(15 gallon minimum size)

Arbutus 'Marina'
Olea europea
Quercus ilex
Rhus lancea

Strawberry Tree
Olive (Fruitless)
California Live Oak
African Sumac

Deciduous Trees

(15 gallon minimum size)

Celtis occidentalis
Lagerstroemia indica 'Muskogee'
Pistache chinensis

Hackberry
Crape Myrtle
Chinese Pistache

Ornamental Grass

(1 gallon minimum size)

Calamagrostis 'Karl Foerster'
Miscanthus sinensis
Stipa tenuissima

Feather Reed Grass
Dwarf Maiden
Mexican Feather Grass

Shrubs

(5 gallon minimum size)

Agave attenuata
Agonis flexuosa 'Jeanette'
Arctostaphylos 'Howard McMinn'
Baccharis pilularis
Ceanothus 'Joyce Coulter'
Cercis occidentalis
Dietes bicolor
Escallonia 'Iveyi'
Leucadendron 'Safari Sunset'
Phormium 'Jack Spratt'
Pittosporum tobira 'Green Pillar'
Prunus ilicifolia
Rhaphiolepis indica
Rosa 'Noatraum'
Rosmarinus officinalis 'Prostratus'
Salvia clevelandii 'Winnifred Gilman'

Coast Rock Rose
Dwarf Natal Plum
Howard McMinn Manzanita
Japanese Bamboo
Japanese Blueberry
Catalina Lilac
Escallonia
Lavender
Safety Pin
Dwarf New Zealand Flax
Pittosporum
Indian Hawthorn
Tall Carmel Rose
Rosemary
Prostrate Rosemary
Dwarf Coyote Brush

Ground Covers and Flowering Perennials

(1 gallon minimum size)

Ceanothus 'Yankee Point'
Ceanothus 'Joyce Coulter'
Dietes bicolor
Gazania rigens leucolaena
Hemerocallis hybrid
Lantana montevidensis 'Spreading Purple'
Rosa 'Noatraum'
Rosmarinus officinalis 'Prostratus'

California Lilac
Dwarf Natal Plum
African Iris
Trailing Gazania
Daylily
Trailing Purple Lantana
Carmel Rose
Rosemary

Vines

(5 gallon minimum size, attach to wall)

Bougainvillea 'Barbara Karst'
Wisteria sinensis

Pink Bougainvillea
Chinese Wisteria

Mulch

Water efficient, organic and pumice based with 2" minimum layer over soil

Water Conservation Notes

Planting and irrigation shall be designed consistent with the following landscape water conservation principles:

1. Irrigation system will be a fully automatic underground system utilizing either low precipitation spray heads, bubblers, drip emitters, or a combination thereof. Irrigation by sprinklers shall be restricted to 5 hydrozones or less and controller stations with appropriate run times for zones.

2. Irrigation controllers shall be weather [illegible] based and designed to automatically adjust irrigation in response to changes in the plant's water needs as weather conditions change.

3. Plant materials proposed are selected for their compatibility to climatic and site conditions, resistance to wind, and drought tolerance.

4. All planters shall be mulched with a 2" minimum layer of organic mulch throughout.

5. Plant materials proposed shall be grouped into distinct hydrozones utilizing plants with similar water needs.

6. Water needs of plant material proposed have been evaluated utilizing the WUCOLS Project (Water Use Classification of Landscape Species) prepared by the University of California Cooperative extension, February 1992. All plant materials proposed are selected for low to moderate water needs in this climate.

North

Scale 1" = 20'-0"

Irrigation Water Demand Calculation (WELO)

San Antonio Winery

Table C: annual

Table D: annual

Table D:

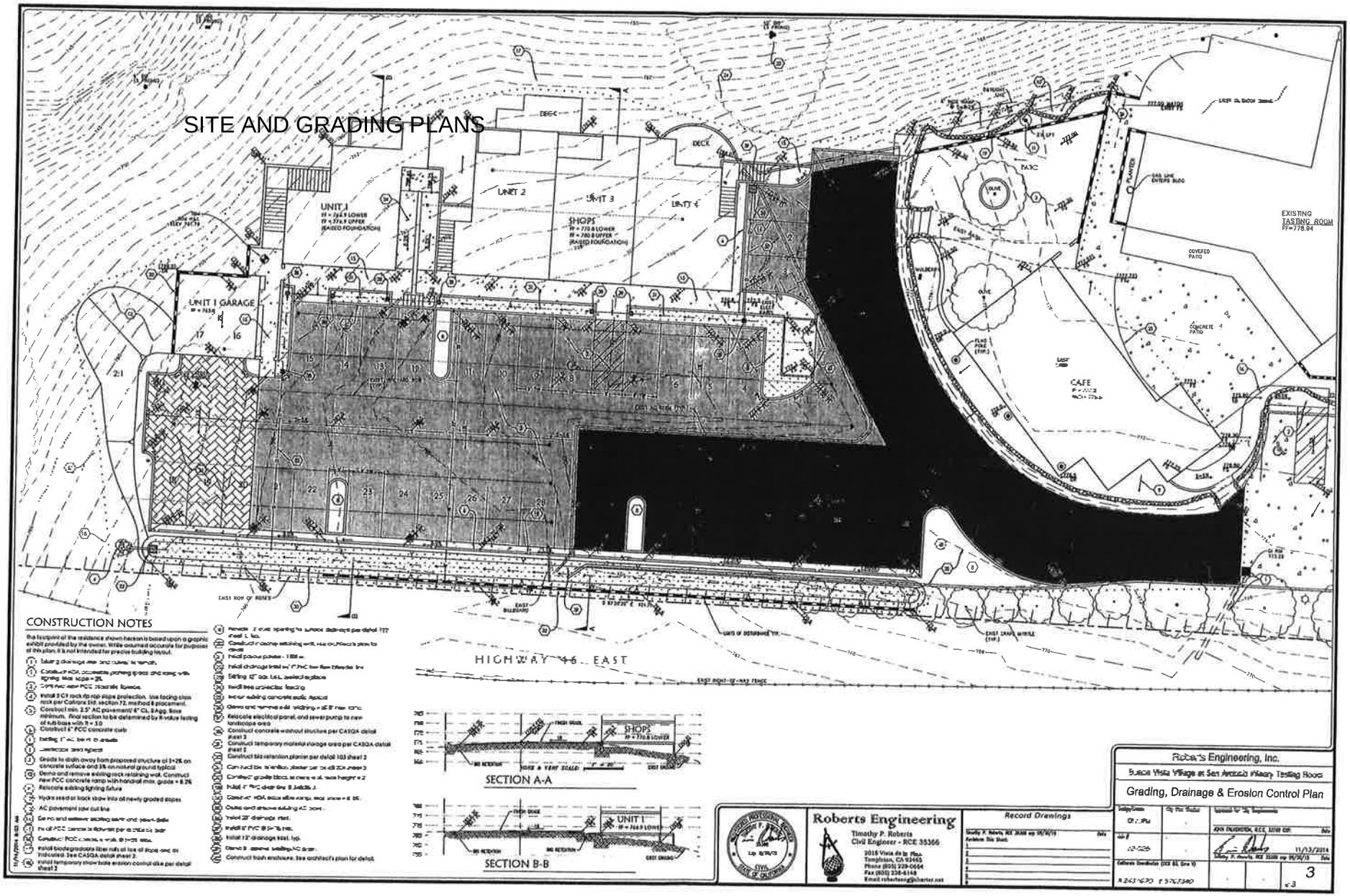
firma landscape architects

Preliminary Landscape & Lighting Plan

San Antonio Winery

Paso Robles CA

SITE AND GRADING PLANS



CONSTRUCTION NOTES

The footprint of the residence shown hereon is based upon a graphic exhibit provided by the owner. While assumed accurate for purposes of this plan, it is not intended for precise building layout.

1. Install 2 drainage inlet and outlet to manifold.
2. Construct PCC concrete pathway typical and comply with lighting. Max slope = 3%.
3. Comply with all PCC accessible ramps.
4. Install 3 CY rock rip-rap slope protection. Use facing class rock per Caltrans Std. section 72, method B placement.
5. Construct min. 2.5" AC pavement/ 6" CL. 8 Agg. Base minimum. Final section to be determined by R-value testing of sub base with Ti = 5.0
6. Construct 6" PCC concrete curb
7. Swale, 1' AC, see 1/L-1 for details
8. Landscape area typical
9. Grade to drain away from proposed structure at 1+2% on concrete surface and 5% on natural ground typical
10. Demo and remove existing rock retaining wall. Construct new PCC concrete ramp with horizontal max. grade = 8.3%
11. Relocate existing lighting fixture
12. Hydro seed or black straw into all newly graded slopes
13. AC pavement saw cut line
14. Remove and restore existing berm and paver patio
15. Install PCC concrete retaining wall, see civil sheet for details
16. Construct PCC concrete v-walk @ 1=3% max.
17. Install biodegradable fiber rolls at toe of slope and as indicated. See CASQA detail sheet 2.
18. Install temporary straw bale erosion control dike per detail sheet 2
19. Provide 2 drive apparing for surface distribution per detail 1/T sheet 1, typ.
20. Construct masonry retaining wall, see structural plans for details
21. Install planter pockets - 1 EA.
22. Install drainage inlet w/ 7" PVC tee flow diverter, typ.
23. Existing 12" dia. t.o.c. perforated pipe
24. Install tree protection fencing
25. Repair existing concrete walk, typical
26. Demo and remove wall retaining = 48" max. ht.
27. Relocate electrical panel, and sewer pump to new landscape area
28. Construct concrete washout structure per CASQA detail sheet 2
29. Construct temporary material storage area per CASQA detail sheet 2
30. Construct bio retention planter per detail 1/D3 sheet 2
31. Connect bio retention planter per detail 2/D3 sheet 2
32. Construct grade break at every wall, max height = 2'
33. Install 4" PVC drain line @ 2.08% typ.
34. Construct HDA access ramp, max. slope = 8.3%
35. Demo and remove existing AC berm
36. Install 12" drainage inlet, typ.
37. Install 8" PVC @ 5=1% min.
38. Install 12" drainage inlet, typ.
39. Demo & remove existing AC berm
40. Construct trash enclosure, See architect's plan for detail.

SECTION A-A

SECTION B-B

Roberts Engineering, Inc.

Suisun Vista Village at San Antonio Winery Tasting Room

Grading, Drainage & Erosion Control Plan

Roberts Engineering
Timothy P. Roberts
Civil Engineer - RCE 35366
3015 Vista de la Mar
Templeton, CA 93465
Phone (805) 239-0604
Fax (805) 238-6148
Email robertseng@charter.net

Record Drawings

JOHN FALKENSTIEN, R.C.E. 52169 CIVIL — 11/13/2014

3 of 3

C

Steven Puglisi

San Antonio Winery Expansion - Site Massing Study

Site Perspective Looking East from Highway 46

Proposed Cafe and Multi-Use Building

LaQuinta Hotel New Addition

Steven Puglisi

San Antonio Winery Expansion - Site Massing Study

Site Perspective Looking West from Highway 46

- Proposed Cafe and Multi-Use Building
- Proposed Housing Development (by Others)
- Existing Apartments

MEMORANDUM

San Antonio Mixed Use Project
1234-0002

Date: May 18, 2015

To: Susan DeCarli, City of Paso Robles

From: Robert Miller, RCE

Subject: Water and wastewater calculations for San Antonio Mixed Use project

Wallace Group has been retained to provide water and wastewater quantity calculations for the above-referenced project. The calculations are based on the project description, which includes a conceptual landscape and irrigation plan prepared by Firma, Inc.

Water Demand Estimates

Table 1 below summarizes the estimated average annual water use for the project, along with a summary of assumptions utilized in the calculations.

Table 1: Summary of Average Annual Water Demand		
Use Description	**Water duty factor for average annual demand**	**Annual water demand in gallons per day**
Café/dining serving 180 occupants/day, with a 50% occupancy factor	10 gallons per meal served (typical range is 7 to 10 gal/meal)	900
Café/dining employees, assuming 4 full time equivalent	10 gallons per day per full time equivalent employee	40
Residential units, assuming 4 units with an average of 2 persons per unit	65 gallons per day per occupant	520
Commercial/retail units, including 4 units with 2 full time equivalent employees per unit	10 gallons per day per full time equivalent employee	80
Landscaping	Average annual demand based on estimates by Firma, Inc	440
Total average annual demand		**1,980 gal/day (2.22 acre-ft per year)**

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The estimates presented in Table 1 represent an average use condition. During the maximum day usage for the development, we estimate a peaking factor of 2.0, or a total maximum day demand of 3,960 gallons per day.

Wastewater Flow Estimates

Wastewater will be generated from the indoor uses within the development, which will reflect all of the uses listed in Table 1 with the exception of landscaping. As a result, the Average Annual Flow for wastewater is estimated as follows:

- Average annual flow (from Table 1, excluding landscape): 1,540 gal/day
- Peaking factor for peak day flow: 2.0
- Estimated peak day flow: 3,080 gal/day

Wastewater flows can be used to estimate the quantity of water that will be returned back to the groundwater basin from the City's wastewater plant, and we recommend utilizing a return rate of no more than 90% of average annual flow as follows:

- Return flow to groundwater basin: 90% of 1,540 gal/day = 1,386 gal/day
- Annual quantity of return flow: 1.55 acre-ft/year

Reductions in Overall Water Demand

The project includes the removal of existing irrigated landscape material that will result in a reduction in water demand. Based on the site plan, the project will require the removal of 0.41 acre of vineyard and 0.10 acre of turf. Based on local irrigation practice, the average annual water use for vineyard and turf are estimated as follows:

- Vineyard average water demand: 1.25 acre-ft per year per planted acre
- Turf average water demand: 2.5 acre-ft per year per planted acre

As a result, the project water reduction due to the removal of existing plant material is estimated as follows:

- Vineyard: 0.41 acre x 1.25 = 0.51 acre-ft/year (455 gal/day)
- Turf: 0.10 acre x 2.5 = 0.25 acre-ft/year (223 gal/day)
- Total reduction: 0.76 acre-ft/year (678 gal/day)

Based on the annual quantity of return flow, the net consumptive use can be estimated as follows:

- 2.22 acre-ft/year annual demand
- 1.55 acre-ft/year return flow
- 0.76 acre-ft/year demand reduction from removal of existing irrigated plants
- Net consumptive water use: Net water savings of 0.09 acre-ft/year

Please let me know if you have any questions, or if you need more information.

MEMORANDUM

TO: **Susan DeCarli**

FROM: **John Falkenstien**

SUBJECT: **PD 14-003, San Antonio Winery, Tasting Room and Village**

DATE: **April 20, 2015**

Circulation Element

The project is located on the northwest corner of Buena Vista Drive and Highway 46E. All improvements on Buena Vista Drive are completed.

The Circulation Element of the General Plan recommends that we set conditions of approval of development applications to provide access to all modes of travel. Attractive uses on this project include wine tasting and a café. These are within walking distance of the new Ayres and La Quinta Hotels. We need to develop a better accessible path to those destinations across Buena Vista Drive. It is appropriate that the applicant be required to build a cross-walk, including new ADA ramps, at the north leg of the Buena Vista Drive – Experimental Station Road intersection.

Buena Vista Drive also serves as a bus route. A bus stop is needed along southbound Buena Vista Drive.

The Bicycle Master Plan provides for a trail under Highway 46E at the west boundary of this project site. A dedication of open space over the westerly 60 feet of the property will allow the trail to be extended north to Experimental Station Road.

Grading, Drainage and Storm Water Quality

The Regional Water Quality Control Board adopted storm water management requirements for development projects in the Central Coast region. Upon the Board's direction, the City has adopted a Storm Water Ordinance requiring all projects to implement low impact development best management practices to mitigate impacts to the quality of storm water run-off and to limit the increase in the rate and volume of storm water run-off to the maximum extent practical.

These new requirements include on-site retention of stormwater. The applicant has prepared a storm water control plan offering a site assessment of constraints and opportunities and corresponding storm water management strategies to meet stormwater quality treatment and retention requirements in compliance with the regulations. The grading plan refects these requirements with bio-retention treatment areas.

Sewer and Water

The property is currently served by a private well. The project will be required to hook to City water and the well must be abandoned in accordance with County Health Department Standards.

There is a 12-inch sewer line and a 12-inch water main in Buena Vista Drive available to serve the project.

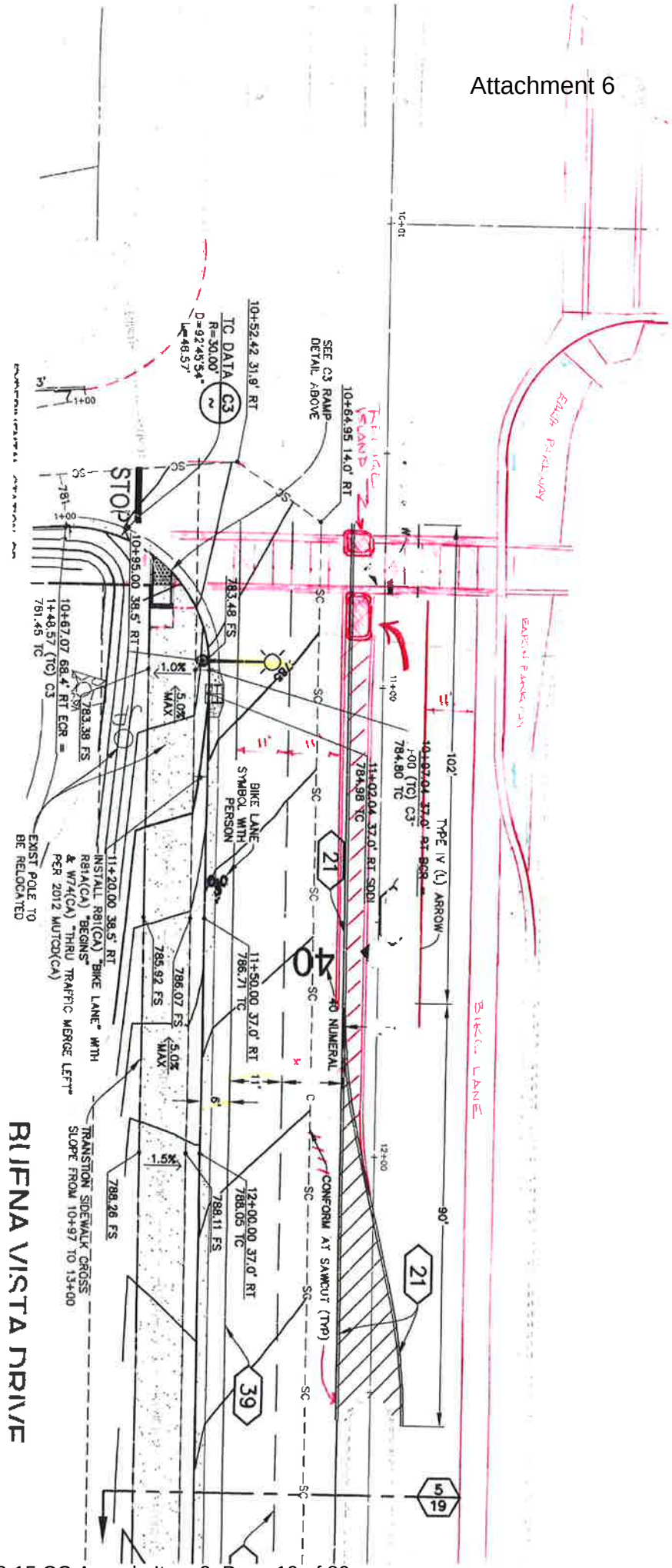
Conditions

Prior to occupancy, the applicant shall place a cross-walk across the north leg of the Buena Vista Drive – Experimental Station Road intersection and construct curb extensions and ADA ramps to accept the new cross-walk in accordance with plans approved by the City Engineer.

Prior to occupancy, the applicant shall place a bus stop on Buena Vista Drive, south of Experimental Station Road, including sidewalk extension, red curbs, canopy and signs.

Prior to occupancy, the existing well must be abandoned in accordance with County Health Department Standards.

Prior to occupancy, the applicant shall dedicate the westerly 60 feet of the property to the City for open space to allow for the potential of trail construction.


BUENA VISTA DRIVE
BIKE LANE
TYPE IV (L) ARROW
CONFORM AT SAWCUT (TYP)
TRANSITION SIDEWALK CROSS SLOPE FROM 10+97 TO 13+00
INSTALL R81(CA) "BIKE LANE" WITH R81A(CA) "BEGINS" & W74(CA) "THRU TRAFFIC MERGE LEFT" PER 2012 MUTCD(CA)
EXIST POLE TO BE RELOCATED
BIKE LANE SYMBOL WITH PERSON
STOP
TC DATA R=30.00' D=92°45'54" L=48.57'
SEE C3 RAMP DETAIL ABOVE
10+52.42 31.9' RT
10+64.95 14.0' RT
10+95.00 38.5' RT
11+20.00 38.5' RT
11+48.57 (TC) C3
10+67.07 68.4' RT EOR =
11+02.04 37.0' RT SDD
10+97.04 37.0' RT EOR =
11+00 (TC) C3
11+50.00 37.0' RT
12+00.00 37.0' RT
783.48 FS
783.38 FS
784.98 TC
784.80 TC
785.92 FS
786.07 FS
786.71 TC
788.11 FS
788.05 TC
789.26 FS
781.45 TC
5.0% MAX
1.0%
1.5%
102'
90'
11'
6'
40 NUMERAL
21
40
39
5
19

Buena Vista Crosswalk
May 15, 2015

ITEM	UNIT	QUANTITY	UNIT COST	COST
Demolition				
Exacavation and Preparation	LS			$ 15,000.00
			Subtotal:	**$ 15,000.00**
Asphalt Concrete Paving				
Asphalt concrete paving	SF	300	$ 20.00	$ 6,000.00
Striping	LS			$ 1,000.00
Advisory Sigs	EA	2	$ 500.00	$ 1,000.00
			Subtotal:	**$ 8,000.00**
Portland Cement Concrete Paving				
6" PCC curb and gutter	LF	130	$ 30.00	$ 3,900.00
Ramps and refuge island	SF	750	$ 15.00	$ 11,250.00
			Subtotal:	**$ 15,150.00**

Total Direct Costs:	**$**	**38,150.00**
Engineering, Surveying, Testing (33%)	$	12,589.00
Project Total:	**$**	**50,739.00**

CALIFORNIA ENVIRONMENTAL QUALTIY ACT
INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES

General Plan Amendment 14-002, Rezone 14-001
Specific Plan Amendment 14-002, Conditional Use Permit 14-006
Planned Development 14-003
April 17, 2015

1. PROJECT TITLE: Buena Vista Village at San Antonio Winery

2. APPLICANT: Steve Riboli
San Antonio Winery, Inc.
737 Lamar Street
Los Angeles, CA 90031

3. APPLICANT'S REPRESETATIVE: Mandi Pickens
Kirk Consulting
8830 Morro Road
Atascadero, CA 93422

4. LEAD AGENCY: City of Paso Robles
Contact: Susan DeCarli, City Planner
Phone: (805) 237-3970
Email: sdecarli@prcity.com

5. PROJECT LOCATION: 2610 State Route 46 East, Paso Robles

6. ASSESSOR PARCEL NUMBER: 025-391-075

7. GENERAL PLAN DESIGNATION: Residential Single-Family (RSF-1)

8. ZONING: Residential Single-Family (R1-B4)

9. PROJECT DESCRIPTION:

This proposed project includes a request for the following entitlements:

- General Plan Amendment – Change the RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed Use Overlay (MU) (e.g. RMF-8-MU), see Attachment 1, Land Use Map Amendment.

- Rezone – Change the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (MU) (e.g. R2-MU), see Attachment 2, Zoning Map Amendment.

- Specific Plan Amendment - Amend the Borkey Area Specific Plan, Subarea D, to allow multi-family residential units and mixed use development (e.g. 4 residential

units, commercial retail, restaurants, and wine tasting), see Attachment 3, Borkey Area Specific Plan Amendment.

- Conditional Use Permit – To allow expansion of commercial uses in the Borkey Area Specific Plan, Subarea D.

- Planned Development – Expand existing use of the property with an existing wine tasting facility (4,212 sf including tasting room – 2,603 sf, and storage – 1,609 sf), to add 11,787 sf of new development, including:

    - Restaurant, 6,168 sf
    - Commercial retail spaces, 2,887 sf
    - Residences, 4-units, 2,732 sf

The existing site is approximately 1.9 acres in area. The proposed development plan would remove the existing vineyard area on the site, and intensify development of the site within the previously disturbed areas of the property. Development would not encroach within the creek corridor or and riparian areas to the north and east, encroach or require removal of native oak trees, see Attachment 4, Site Plan.

The site would be accessed through the existing driveway access on Buena Vista Drive. There are currently 23 (unstriped) parking spaces that provide parking for the existing wine tasting room. The new buildings would require a total of 46 parking spaces for vehicles, and 3 motorcycle parking spaces. The applicant will also include a bicycle rack for bicycle parking.

The parking space standards and calculation of required spaces for existing and new uses are as follows:

Land Use	Parking Standard	Total Required Number of Spaces
• **Residences:** **(1) 2-bed unit** **(3) 1-bed units**	1.5 spaces per 1-bed unit 2 spaces per 2-bed unit	6
• **Commercial Retail**	3 spaces per 1,000 sf	9
• **Restaurant**	5 spaces per 1,000 sf	31
• **Wine Tasting Room (including storage area)**	3 spaces per 1,000 sf wine tasting 1 space per 5,000 sf wine storage	10
Total Parking Spaces Required:		56

The proposed site plan provides for a total of 61 parking spaces with the 23 existing parking spaces and the 38 new proposed spaces.

10. SURROUNDING LAND USES AND SETTING:

The project site is surrounded by a mix of existing urban development. Surrounding land uses include:

South - State Route 46 East
North – Multi-family townhouse development
West – Multi-family apartment development (under construction)
East – Hotels

11. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (e.g., PERMITS, FINANCING APPROVAL OR PARTICIPATION AGREEMENT):

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.

☐	Aesthetics	☐	Agriculture and Forestry Resources	X	Air Quality
X	Biological Resources	☐	Cultural Resources	☐	Geology /Soils
☐	Greenhouse Gas Emissions	☐	Hazards & Hazardous Materials	☐	Hydrology / Water Quality
☐	Land Use / Planning	☐	Mineral Resources	X	Noise
☐	Population / Housing	☐	Public Services	☐	Recreation
☐	Transportation/Traffic	☐	Utilities / Service Systems	☐	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.

X 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? ☐ ☐ ■ ☐

Discussion: The project site is not designated in the City's General Plan, Conservation Element or identified in the City's Gateway Design Standards, as being in a "scenic vista", "gateway" or part of a "visual corridor". Therefore, the project could not be determined to (technically) adversely result in negative impacts on a scenic vista (as defined). However, since the site is along SR 46E, near the Highway 101 interchange, that receives a significant amount interstate, state, and regional traffic, it can be determined that the project location is within an "entrance" area to the City.

The existing development of the site includes an attractively designed and landscaped wine tasting room that utilizes authentic Italian-themed Mediterranean architecture, which provides scenic amenities to the site and surroundings. Additionally, there is an existing drainage/seasonal creek area with oak trees along north and western boundaries of the property. Surrounding development also includes attractive site and architectural design. A wooded open space area is located on the south side of SR 46E, which helps maintain an attractive entrance to the City.

The project includes removal of an existing small, boutique vineyard, and replacing it with approximately 12,000 s.f. of infill development. The proposed project presents a continuation of the existing development pattern that would be designed with the same architectural theme, and quality of building materials on the site, including Mediterranean features, towers, and construction methods. See Attachment 5, Elevations. In this sense, the proposed project would be in keeping with the existing development of the site and surroundings, and would not result in adverse effects of the scenic quality of the area.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ☐ ☐ ■ ☐

Discussion: The proposed project does not include removal or otherwise impact existing oak trees on the site. Additionally, the project would be set back from the bank of the drainage/seasonal creek area, and not impact the scenic quality of this natural feature. The rear patios are oriented to take visual advantage of the creekway area as a project amenity. There are no other natural features on the site, or historic resources that would be impacted. The proposed development would reduce the view of the drainage area from the highway, since buildings would be located in front of it, however, the drainage would be visible from several other vantage points. Therefore, the project would not substantially damage scenic resources on the existing site.

c. Substantially degrade the existing visual character or quality of the site and its surroundings? ☐ ☐ ■ ☐

Discussion: As noted in 1.a. above, the proposed project would continue the existing architectural and site development pattern on the property, and would fit in with the site and surroundings. All development in the nearby vicinity is developed with quality Mediterranean architecture, and the proposed infill development would be in keeping with the visual character of the site and surroundings. The existing hotel buildings at La Quinta located on the east side of Buena Vista and SR 46E, are 3-stories and are much larger in scale, with a 60 foot tall tower element. Additionally, the existing topography of the site and proposed building foundations in the proposed building area is approximately 10 feet lower than the elevation of SR 46E. Except for the tower element of the restaurant building (42 feet in height), the other buildings are proposed to

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

be two-stories. Therefore, the visual effect of the building massing will be reduced compared to surrounding development, since it will be located below-grade of the highway. Therefore, the project would not substantially degrade the existing visual character or quality of the site or its surroundings.

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)	☐	☐	■	☐

Discussion: The proposed project is a small scale addition to an existing commercially developed property and includes a restaurant, a few boutique shops, and residences. This level of development would not result in substantial new light and glare. The buildings would be designed in keeping with the existing design theme, which does not include significant external lighting fixtures. Additionally, the existing topography of the site and proposed building foundations in the proposed building area is approximately 10 feet lower than the elevation of SR 46E, which will help to reduce light and glare that may result from this infill project. The project will also need to comply with the Zoning Code light and glare standards, and will be required to have all external light fixtures downcast and shielded to reduce lighting onto adjacent properties and surrounding night sky. Therefore, the proposed project would likely result in less than significant impacts due to new light sources.

II. AGRICULTURE AND FORESTRY 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the forest and Range Assessment Project and the forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?	☐	☐	☐	■

Discussion: In accordance with the City's General Plan, Open Space Element, the property does not contain "Important Farmland" soils, as defined by the FMMP of the California Resources Agency. Therefore, the project could not impact this resource.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■

Discussion: The property is not zoned for agricultural uses, nor is there agriculturally zoned property within the near vicinity. The property is not under a Williamson Act contract. The property has less than a 1/3 acre of active, "boutique", vineyards located on it, however, this vineyard farming activity is not an agriculturally or economically significant resource, and is generally maintained for landscaping aesthetic purposes.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 51104(g))?	☐	☐	☐	■
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
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?	☐	☐	☐	■

Discussion: There are no forest land or timberland resources, as defined within the City of Paso Robles. Additionally, the site is an infill development property surrounded by non-agriculturally zoned properties. Therefore, the project could not result in or affect conversion of agricultural resources or forest land to urban uses.

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: 11)	☐	☐	■	☐

Discussion: The proposed project does not conflict with the SLO County Air Pollution Control District Clean Air Plan (APCD CAP), in particular with land use and transportation control measures. These measures include: a regional transit stop within 2 blocks from the project site (located at Cuesta College on Buena Vista Drive; pedestrian sidewalk along property frontage, bike lanes within half a block, bike racks onsite; and an electric vehicle charging station and Amtrak and multi-modal transportation station within 2 miles. Additionally, the project will be conditioned to install a new southbound transit stop on Buena Vista Drive, just south of the intersection of Buena Vista Drive and Experimental Station Road. It will also install new curb extensions at the intersection and a new crosswalk at the intersection to facilitate pedestrians that will be attracted to the site from surrounding hotels and residences. The project includes a mix of land uses including mixed-use/live-work units, and a restaurant which will serve nearby residential development and adjacent hotels. The mix of land uses will help reduce reliance on vehicle trips. Therefore, considering these measures, the project does not conflict with the APCD CAP.

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

Discussion: In accordance with the SLO County APCD CEQA Air Quality Handbook (CEQA Handbook), the proposed project is below the APCD adopted project size thresholds of significance for operational impacts that may result in a significant increase in ozone precursors and greenhouse gas (GHG) emissions. Additionally, the site is below the thresholds of significance for construction-related impacts since the area of grading is less than four acres.

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

Since the site is located adjacent to residences (to the north), which are defined as sensitive receptors, the project would be subject diesel idling restrictions to limit construction-related emissions from diesel particulate matter from construction equipment. The project would need to implement standard mitigation measures for construction equipment and fugitive dust mitigation measures (short list) identified in the CEQA Handbook. Through implementation of the applicable measures listed (see Mitigation Measures Summary and Mitigation Monitoring Program, in Attachment 8), the project would not violate any air quality standards or contribute substantially to an existing or projected air quality violation.

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: The northern area of San Luis Obispo County occasionally exceeds ozone levels (both federal and state standards). However, as noted in III.b. above, the proposed project would not exceed adopted thresholds for criteria pollution. Therefore, the project will not result in a cumulatively considerable increase in criteria pollutants, and impacts would be less than significant.

d. Expose sensitive receptors to substantial pollutant concentrations? (Source: 11)	☐	■	☐	☐

Discussion: Since the site is located adjacent to residences (to the north), which are defined as sensitive receptors, the project would be subject to diesel idling restrictions, to limit construction-related emissions from diesel particulate matter from construction equipment. The project would need to implement standard mitigation measures for construction equipment and fugitive dust mitigation measures (short list) identified in the CEQA Handbook. Through implementation of the applicable measures listed (see Mitigation Measures Summary and Mitigation Monitoring Program, in Attachment 8), the project would not expose sensitive receptors to substantial pollutant concentrations, and associated impacts would be less than significant.

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

Discussion: The proposed development is not anticipated to create significant objectionable odors, since intended uses includes homes, boutiques and a restaurant, which are not typically associated with objectionable odor emissions.

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 Wildlife or U.S. Fish and Wildlife Service?	☐	■	☐	☐

Discussion: A Biological Resources Assessment was prepared for this project by Kevin Merk Associates (July 2014, see Attachment 6). The report evaluates site habitats, flora and fauna that exist on the site, and

how these resources may be affected by the proposed project. The report also considers sensitive and protected resources within the region that may exist on or near the project site. Field surveys of the site were conducted during April through May 2014. Excerpts from the Biological Resource Assessment are provided below.

In summary, the report did not identify any sensitive or protected species on the site, however, since sensitive and/or protected species may occur in the vicinity, mitigation measures have been included to ensure their protection, and to reduce potential impacts to a less than significant level. (See Attachment 8, Mitigation Measures Summary) Therefore, the project would not likely 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 Wildlife or U.S. Fish and Wildlife Service.

"The field surveys were performed in order to map existing habitat types and identify any areas potentially containing sensitive or special status biological resources that could be of concern to the United States Fish and Wildlife Service (USFWS), the California Department of Fish and Wildlife (CDFW), the U.S. Army Corps of Engineers (Corps), and the Regional Water Quality Control Board (RWQCB). During each survey, all plants were identified to a sufficient level to determine rarity."

The assessment of special status species occurrence on the site and identification of habitat that could potentially support these species was based on our field observations coupled with our knowledge of the particular species' biology, background reports and findings from previous studies conducted in the area, and the California Natural Diversity Data Base (CNDDB) data. Focused surveys for special status wildlife, such as San Joaquin kit fox require specific survey protocols with extensive field time to be conducted only at certain times of the year. As stated above, we relied on existing information and survey data coupled with knowledge of the area and past investigations to conclude whether or not certain special status species could potentially occur onsite. To support the special status species determination, the USDA NRCS Web Soil Survey was reviewed to identify the soil mapping units present within the study area (U.S. Department of Agriculture 2013).

In summary, four habitat types were observed within the study area, and include: 1) Annual Grassland; 2) Oak Woodland; 3) Vineyard; and 4) Developed. Given our knowledge of the area, and review of CNDDB occurrence data for a five-mile radius around the property, several special status plant communities are known to occur within the general property area, and include: Coastal and Valley Freshwater Marsh, Central Coast Arroyo Willow Riparian Forest and Scrub, Vernal Pool, and Native Bunchgrass Grassland. No plant communities of special concern were observed on the project site, and are not expected to occur or be affected by the project. The CNDDB contains a number of recorded occurrences of special-status wildlife species in the area. Many species listed in Appendix A (of the report), however are not expected to occur onsite based on the lack of suitable habitat.

Based on review of the concept plan and the Grading, Drainage and Erosion Control Plan the proposed project will primarily be sited on existing developed parts of the property, including the vineyard area. The natural drainage feature onsite and to the north of the property will not be affected. While some annual grassland habitat will be impacted, the project has been designed to avoid impacts to onsite oak trees.

The project was developed to set back from the drainage and no impacts to its bed or banks or associated vegetation will occur. Protection measures, such as erosion and sediment control BMPs will be utilized during construction to ensure indirect impacts do not affect the drainage feature.

Based on seasonally time botanical surveys, the site does not support special status plants. Given the

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

site's proximity to existing developed areas within the city limits and its separation from open space areas by Highway 46, use of the site by special status wildlife other than nesting birds is unlikely. Still the project is within historic SJKF habitat and has the potential to support the American badger. With the incorporation of (the above) mitigation measures, the project's contribution towards the regional loss of wildlife habitat and other potential adverse effects to special status species and biological resources is not considered to be a significant cumulative impact pursuant to the California Environmental Quality Act." (KMA, 2014)

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 Wildlife or US Fish and Wildlife Service?	☐	☐	■	☐

Discussion: There is no riparian habitat, nor are there other sensitive natural communities located on the site. There are also no resources on the site that are referenced in applicable local or regional plans, such as the City General Plan, Conservation Element. Per the Biological Resource Assessment:

"An unnamed drainage feature exists just north of the property boundary, and intersects the site's northwestern corner. The drainage is part of an unnamed tributary to the Salinas River and is connected via a culvert under Highway 46. Flowing water is only present during winter months with normal or above average rainfall. The project is proposed to be developed at a distance set back from the drainage and no impacts to its bed or banks, or associated vegetation will occur. Protection measures, such as erosion and sediment control BMPs will be utilized during construction to ensure indirect impacts do not affect the drainage feature.

No wetland vegetation was observed in the onsite portion of the drainage. Because of the sensitivity of habitats associated with natural drainages, the introduction of sediments, fuels, oils, solvents, pesticides, fertilizers, and herbicides to the watercourse would be a potentially significant impact, especially considering the presence of special status species in the area. Ensuring sediment-laden runoff does not leave the site during construction, and that post construction runoff is consistent with preconstruction conditions will be important to avoid potential impacts to water quality. Low Impact Development principles should be utilized as feasible during the site specific planning for the project to avoid water quality impacts to the drainage."

Therefore, the project will not result in 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 Wildlife or US Fish and Wildlife Service.

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?	☐	☐	☐	■

Discussion: Per the Biological Resources Assessment, there are no wetland resources on the site and there is no wetland vegetation in the drainage area onsite. Therefore, the project could not result in substantial

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

adverse effect on federally protected wetlands, as defined.

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?	☐	■	☐	☐

Discussion: Since the project is proposed to be set back from the drainage channel, it will not directly impact resident or migratory fish or wildlife species that inhabit the channel. Intensified use of the site may result in increased noise or light from additional urban development, which may affect common wildlife that occupy the property, however, as noted above, there are no protected species on or near the site. Potential impacts to wildlife in general, would likely be minimal since the site is surrounded by urban development on all sides. As noted, mitigation measures are incorporated for this project to reduce potential impacts on migration of San Joaquin Kit Fox that may occur in the vicinity. Therefore, with mitigation measures incorporated for SJKF migration, potential impacts on movement or migration of fish or wildlife species would be less than significant.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	■	☐

Discussion: The City has an adopted Oak Tree Preservation Ordinance intended to preserve and protect native oak trees within the City. The site has native blue oak trees located along the drainage area. Since the project is set back from the drainage way, the oak trees would not be disturbed or need to be removed to accommodate this development. Therefore, the project would not be in conflict with the City oak tree ordinance. There are no other applicable policies or ordinances related to biological resources that would apply to this project.

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?	☐	☐	☐	■

Discussion: There are no adopted habitat conservation plans that apply within the City.

V. CULTURAL RESOURCES: Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	■

Discussion: There are no historic resources on or near this project site that could be impacted by the proposed project.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	■	☐

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

Discussion: This is an infill development site on previously disturbed property. There are no known archaeological or paleontological resources located on the site. Should any archaeological or paleontological resources be discovered during site grading, work shall be halted and appropriate qualified specialists shall be contacted to evaluate the resources and recommend further action.

c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ☐ ☐ ■ ☐

Discussion: See Vd. Above.

d. Disturb any human remains, including those interred outside of formal cemeteries? ☐ ☐ ■ ☐

Discussion: There are no known human remains or cemeteries located on the site. Should any human remains be discovered during site grading, work shall be halted and the county coroner shall be contacted to evaluate the resources and recommend further action.

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

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

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 Safety Element and EIR, the project site is located in an area with soil conditions that have a low to moderate potential for liquefaction or other type of ground failure due to seismic events and soil conditions. Therefore, impacts related to seismic-related ground failure are determined to be less than significant.

b. Landslides? ☐ ☐ ■ ☐

Discussion: Per the General Plan Safety Element and 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. Therefore, impacts related to seismic-related ground failure are determined to be less than significant.

c. Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, & 3) ☐ ☐ ■ ☐

Discussion: The proposed project would develop less than 2 acres of previously disturbed land. Low-Impact Development features will be incorporated into the project design as well standard grading, drainage, and erosion control plans to reduce potential soil erosion to a less than significant level.

d. 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? ☐ ☐ ■ ☐

Discussion: See VI a – d above.

e. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? ☐ ☐ ■ ☐

Discussion: This site is not located in an area with an unstable geologic unit that would be subject to expansive soil that could create a substantial risk to life or property.

f. 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? ☐ ☐ ■ ☐

Discussion: The development will be connected to the City's municipal wastewater system. Therefore, there

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

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?	☐	☐	■	☐

Discussion: The proposed project is below the APCD CEQA Handbook adopted threshold of significance. Therefore the project has been determined that it will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

b. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gasses?	☐	☐	■	☒

Discussion: The proposed project is an infill development that will intensify use of an existing developed property. It will also provide services (e.g. restaurant, shops) to surrounding development (e.g. residences and hotels) that will reduce the need to drive into town. The project will also comply with the City's Climate Action Plan (CAP) since, as a mixed-use project, it will help reduce mobile emissions. Therefore, the project is consistent with the City's CAP.

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 mixed-use project will not emit hazardous materials, and will not impact schools since there are no schools within the vicinity.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	■

Discussion: The project site is not identified as a hazardous site per Government Code Section 65962.5.

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?	☐	☐	☐	■

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

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?	☐	☐	☐	■

Discussion: see VIII e above.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■

Discussion: The City does not have *adopted* emergency response or evacuation plans. Per the City Emergency Services Department, the proposed location does not pose a risk that would impair City response to emergencies.

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?	☐	☐	☐	■

Discussion: Per the 2003 General Plan Safety Element, and the Local Hazard Mitigation Plan, 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?	☐	☐	■	☐

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

Discussion: The Regional Water Quality Control Board adopted stormwater management requirements for development projects in the Central Coast region. Upon the Board's direction, the City has adopted a Storm Water Ordinance requiring all projects to implement low-impact development, best management practices to mitigate impacts to the quality of storm water run-off, and to limit the increase in the rate and volume of storm water run-off to the maximum extent practical. Implementation of these measures will reduce the potential to impact or violate water quality standards or exceed waste discharge requirements to a less than significant level.

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)	☐	☐	■	☐

Discussion: The project property is within the City limits, and the change in the land use designation and zoning from R1 to R2-MU, would be within the General Plan residential and commercial planned build-out projections.

The City's municipal water supply is composed of groundwater from the Paso Robles Groundwater Basin, an allocation of the Salinas River underflow, and a surface water allocation from the Nacimiento Lake pipeline project.

The City established a groundwater stewardship policy to not expand dependency on the Paso Robles Groundwater Basin ("the basin") over historic use levels/pumping from the City's peak year of 2007. The City augmented water supply and treatment capacity by procuring surface water from Lake Nacimiento and construction of delivery facilities to the City. This project will not affect the amount of groundwater that the City withdraws from the Paso Robles Groundwater Basin. Per the City's 2010 Urban Water Management Plan (UWMP), page 21:

> *"The City is progressing with its plans for a water treatment plant (WTP) to treat surface water received from Lake Nacimiento. The WTP is being designed to treat 4 million gallons per day (mgd), with construction to begin in 2015. The WTP can be expanded to treat 6 mgd to meet future demands (Paso Robles website, October 13, 2010). Specific facilities include a water treatment plant, treated water reservoir and pump station, transmission pipeline, appurtenances and other site improvements (Padre, 2008). Half of the initial 4,000 AFY Nacimiento allocation and half of the 4 mgd Phase 1 treatment plant capacity are to replace lost well production capacity and improve water quality. The remaining capacity is to provide for new development. In order to limit reliance on the highly-stressed groundwater basin new development—per City policy—is required to be served with surface and recycled water. Therefore, the second 1,400 AFY Nacimiento allocation, the 2 mgd treatment plant expansion, and recycled water infrastructure will be funded by development."*

Additionally, the City assigns "duty" factors that anticipate the amount of water supply necessary to serve various types of land uses. These factors are derived from determining the average water demands for each zoning district in the City. In this circumstance, the water supply necessary for development of two

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

additional residential units and commercial land uses, includes retail and restaurants, as well as other uses, is incorporated into the water demand assumptions of the UWMP. As noted above, the City has augmented future reliance on groundwater resources to surface water resources, and residential and commercial development has been accounted for in the overall water projections and demand for the City. Since the City's water supply, as documented in the UWMP, is not reliant on increased groundwater pumping for new development, it demonstrates adequate water supply procured from Lake Nacimiento to accommodate the projected growth in the City and it demonstrates that this project will have adequate water supply available, and will not further deplete or in any way affect, change or increase water demands on the basin.

The applicant's engineer provided an estimate for water demand for this project. The estimate indicates that this project would require approximately 1,972 gallons of water per day, which is within the ability of the City's water supplies to serve. Therefore, the project would not substantially deplete groundwater supplies.

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)	☐	☐	■	☐

Discussion: The proposed project is designed above the existing drainage channel, and will not disturb or alter the natural drainage pattern of the drainage facility or site. Hydromodification that may result from new impervious surfaces on the site will be addressed through implementation of low-impact storm water management techniques designed into the project site. This will also reduce the potential for erosion and siltation from site drainage. Therefore, the proposed project will not result in altering site drainage, substantial erosion or siltation.

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)	☐	☐	■	☐

Discussion: See IX c. above.

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)	☐	☐	■	☐

Discussion: See IX c. above.

f. Otherwise substantially degrade water quality?	☐	☐	■	☐

Discussion: See IX c. above.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	■

Discussion: In accordance with the City's adopted Local Hazard Mitigation Plan, the project site is not within the FEMA 100-year flood hazard area.

h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	■

Discussion: See IX g. 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?	☐	☐	☐	■

Discussion: As noted in IX g. above, the site is not within a flood hazard area. There are also no levees within the Paso Robles area, or dams within 20 miles of the project site. Therefore, the site, structures or people that may occupy this project would not be subject to risk due to failure of a levee or dam.

j.	Inundation by mudflow?	☐	☐	☐	■

Discussion: In accordance with the City's adopted Local Hazard Mitigation Plan, the site is not within an area subject to mudflow impacts.

k.	Conflict with any Best Management Practices found within the City's Storm Water Management Plan?	☐	☐	☐	■

Discussion: The project will incorporate all BMPs with the City's Storm Water Management Plan, and will therefore not be in conflict with the City's SWMP BMPs.

l.	Substantially decrease or degrade watershed storage of runoff, wetlands, riparian areas, aquatic habitat, or associated buffer zones?	☐	☐	■	☐

Discussion: The project is designed to be set back from the adjacent drainage way that flows to the Salinas River. All water resulting from project-related hydromodification will be maintained on the project site in compliance with State and City requirements. Therefore, the project will not substantially decrease or degrade watershed storage of runoff, wetlands, riparian areas, aquatic habitat, or associated buffer zones.

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

X. LAND USE AND PLANNING: Would the project:

a. Physically divide an established community? ☐ ☐ ■ ☐

Discussion: The GPA and Rezone will add continuity to localized land use designations and zoning, by changing the land use designation and zoning from Single Family Residential (SFR) to Multi-Family Mixed-Use (R2-MU), since the site is adjacent to multi-family zoned and designated property to the west and north. It will allow for additional commercial development that will serve nearby hotels, the project would support surrounding land uses with retail and restaurant opportunities, and would provide a better transition of land uses to surrounding areas. Therefore, the project would not 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 proposed legislative amendments and development project would provide internal consistency between plans and policies, and would not result in avoiding or mitigating an environmental effect.

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

Discussion: There are no habitat conservation plans that apply within the City of Paso Robles.

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 within the City of Paso Robles.

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) ☐ ☐ ☐ ■

Discussion: There are no known mineral resources within the City of Paso Robles.

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

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) ☐ ■ ☐ ☐

Discussion: In accordance with the General Plan Noise Element, conditionally acceptable CNEL noise exposure for residences is up to 70 Ldn or CNEL, dBA. Residences within this CNEL would be required to apply (commonplace) construction features to reduce ambient noise levels to an acceptable range, up to a maximum of 60 CNEL. According to the project site plan and Table N-2 of the Noise Element, the proposed project would locate residences within future (year 2025) traffic noise levels of 65 CNEL. (The setback for 60 dB is 634 feet, 65 dB is 294 feet, and 70 dB is 137 feet from the centerline of SR 46E. The residences would be approximately 220 feet from the centerline.) Therefore, a noise assessment shall be required to determine the precise building plans and construction methods necessary to comply with the 60 CNEL noise limitations for residential development to mitigate potential noise impacts to a less than significant level.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? ☐ ☐ ■ ☐

Discussion: There are no significant groundborne vibration or noise level sources within the vicinity of the project site that could impact future residences. Construction noise and vibration of the proposed project that may affect adjacent properties would be minimal since the site is setback approximately 220 feet from the nearest existing residence to the north, and noise would only occur during daytime hours of construction, and would cease upon completion of the project. Therefore, groundborne vibration and noise would be less than significant.

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ■ ☐

Discussion: The proposed project (e.g. residential mixed-use) would not result in substantial permanent increase in ambient noise levels in the project vicinity due to the nature of the type of proposed development, which do not make significant noise. Therefore, the project would not result in a substantial permanent increase in noise levels in the vicinity.

d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ■ ☐

Discussion: As noted in XII b. above, the project would result in construction-related noise, which would not be significant since the construction site would be located at least 220 feet from the nearest structure on adjacent property, and construction would only occur during daytime hours. The applicant would need to comply with noise standards in the zoning ordinance, and not create nuisance noise between 7:00 pm and 7:00 am.

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 ☐ ☐ ☐ ■

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

or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 4)

Discussion: The project site is not located within an Airport Land Use Planning area. Additionally, the project would be conditioned to record an avigation easement on the project so that the property owner would be on notice of potential airport related noise within the City. Therefore, it would not be impacted by airport related noise, and noise impacts would be less than significant.

XIII. POPULATION AND HOUSING: Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1)	☐	☐	■	☐

Discussion: The proposed project includes a minimal number of new residential units (4 homes, including 1 SFR, and 3 multi-family (1-bedroom) units). Thus, the project could not induce substantial population growth. Development of the property with residential development would be within the existing City General Plan build-out projections and estimated population growth. The project will also not extend new infrastructure to serve it since it has adequate road access and utilities that already serve it.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

Discussion: There are no existing homes located on the project site, therefore, no homes would be displaced by the proposed project.

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

Discussion: There are no existing homes located on the project site, therefore, no people would be displaced by the proposed project.

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)	☐	☐	■	☐

Discussion:

b. Police protection? (Sources: 1,10)	☐	☐	■	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
	Discussion:				
c.	Schools?	☐	☐	■	☐
	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 that cannot be provided services through existing resources, and the incremental impacts to services can be mitigated through payment of standard development impact fees. Therefore, impacts that may result from this project on public services are considered less than significant.				
d.	Parks?	☐	☐	■	☐
	Discussion:				
e.	Other public facilities? (Sources: 1,10)	☐	☐	■	☐
	Discussion:				

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 facility would occur or be accelerated?	☐	☐	■	☐
	Discussion: (a&b): The proposed mixed-use development project will not encourage new significant housing demands, therefore it will not result in an increase in demand for recreational facilities or accelerate deterioration of recreational facilities.				
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?	☐	☐	■	☐
	Discussion: see XV a. above.				

XVI. TRANSPORTATION/TRAFFIC: Would the project:

a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass	☐	☐	■	☐

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

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?

Discussion: The Circulation Element (CE) of the General Plan, Table CE-1, provides projections of xisting and future (2025) roadway segment capacity utilization of various roads in the City. Table CE-1 indicates that the existing capacity utilization of SR 46E (between Highway 101 and Union Road, which includes Buena Vista Drive) is at 59%. Future capacity utilization is expected to be 109% in 2025. The City has adopted a Parallel Route Study as well as the 2011 CE, which includes numerous roadway improvements to mitigate traffic impacts, to be funded (in part), through payment of Transportation Impact Fees.

A project Trip Generation Study, prepared by OEG Transportation Engineers, indicates that the project would result in in an increase in approximately 322 average daily trips (ADT), and approximately 25 peak hours trips (See Attachment 7, Trip Generation Study). This traffic increase can be adequately mitigated through payment of Transportation Impact Fees, which will contribute to improvements in the vicinity in accordance with the Circulation Element. Therefore, the project would not conflict with adopted transportation policies for mitigating traffic.

The project would be consistent with the General Plan Circulation Element, Bike Master Plan and City Street Standards, by existing improved access on Buena Vista Drive. The site is within ½ block to the nearest bike lane (at the intersection of Buena Vista Drive and Experimental Station Road), and within 2 blocks to the nearest transit stop (in front of Cuesta College on Buena Vista Drive). Additionally, the project will be conditioned to install a new southbound transit stop on Buena Vista Drive, just south of the intersection of Buena Vista Drive and Experimental Station Road. It will also be required to install new curb extensions at the intersection and a new crosswalk to facilitate pedestrians that will be attracted to the site from surrounding hotels and residents. The project will include a bike rack and motorcycle parking spaces in compliance with the City Zoning Ordinance, Off-Street Parking standards.

b. Conflict with an applicable congestion management program, including but not limited to a level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? ☐ ☐ ■ ☐

Discussion: As noted above in XVI a., the project will include access to alternative transportation measures and this is a mixed use project that will include residential and commercial development, which would encourage a reduction in vehicle trips. The commercial uses, such as the restaurant will also serve the needs of existing surrounding residential and hotel development which will reduce their reliance on vehicles for dining. These measures will support consistency with applicable congestion management plans and programs.

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? ☐ ☐ ☐ ■

Discussion: The proposed project is not located within an airport area, and therefore could not result in impacting traffic patterns, safety hazards, etc.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	■	☐

Discussion: The proposed project scope does not include road improvements that would result in hazardous design features. Road improvements (e.g. curb extensions and crosswalk) are intended to make it safer for pedestrians, and to slow down traffic to increase safety in the vicinity.

e. Result in inadequate emergency access?	☐	☐	■	☐

Discussion: The project will not affect emergency access on the adjacent street and highway networks, and will install emergency service access and turnarounds on site, in compliance with required fire safety codes.

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?	☐	☐	☐	■

Discussion: See XVI a & b.

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	■	☐

Discussion: The project will comply with all applicable wastewater treatment requirements as required by the City, the Regional Water Quality Control Board, and the State Water Board. Therefore, there will be less than significant 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?	☐	☐	■	☐

Discussion: Per the City's General Plan EIR, Urban Water Management Plan, Sewer System Management Plan (SSMP), Wastewater Master Plan (WWMP), the City's water and wastewater treatment facilities in the vicinity and at the wastewater and water treatment plants are adequately sized, including planned facility upgrades, to provide water needed for this project and to treat resulting effluent. The applicant will be required to pay for utility connections and associated improvements, as well as development impact fees to offset the projects proportional share of impact to these facilities. 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	☐	☐	■	☐

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

effects?

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? ☐ ☐ ■ ☐

Discussion: As noted in section IX on Hydrology, the project can be served with existing water resource allocations 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? ☐ ☐ ■ ☐

Discussion: Per the WWMP, the capacity of the City's wastewater treatment plant is 4.9 million gallons per day (MGD). Existing flows to the wastewater treatment plant are approximately 2.9 MGD, therefore it can be determined that the WWTP plant has adequate remaining capacity of 2 MGD to serve this project.

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? ☐ ☐ ■ ☐

Discussion: Per the City's 2010 Landfill Master Plan, the City's landfill has adequate capacity to accommodate construction-related and operational solid waste disposal for this project. Landfill design capacity permitted (as of 2013) is 6,495,000 cubic yards, with a maximum of up to 75,000 tons/year. The City's overall waste stream averages about 45,000 tons/year, inclusive of residential and non-residential hauling rates. Based on General Plan build-out projections, landfill capacity is documented to be sufficient until at least 2051. The 5-year Joint Technical Update (currently in process of being updated) projects capacity until 2071. However, the landfill plan includes numerous zero-waste and renewable energy production programs that are designed to reduce the waste stream and extend the life of the capacity much further.

Based on capacity information of the City's Landfill capacity, annual waste stream and estimated C&D, it can be determined that the City's landfill has adequate capacity to accommodate the proposed projects solid waste disposal needs.

g. Comply with federal, state, and local statutes and regulations related to solid waste? ☐ ☐ ■ ☐

Discussion: The project proponent will be required to comply with the City's adopted Municipal Code which encompasses the California Green Building Code for C&D waste, as well as landfill permit tonnage limitations (see XVII (f) above). Based on averages of typical hotel waste streams (which are included in the landfill capacity analysis of the 2010 Landfill Master Plan), as well as an estimate of C&D waste, the proposed project will comply with local and state solid waste regulations. Local and State solid waste

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

regulations are in compliance with the federal solid waste regulations of the Environmental Protection Agency. Therefore, the proposed project will comply with all applicable 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 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 in the Biological Resources section of this Initial Study, there are no sensitive or protected plant or animal species located on the project site. This infill project is proposed on property that has previously been disturbed with existing driveways, parking spaces and planted vineyard. Additionally, the development footprint will not encroach within the drainage channel area or oak trees. Therefore, this project could not 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 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.

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)?	☐	☐	■	☐

Discussion: The analyses prepared for this project demonstrate that potentially significant impacts that may result from implementation of this project will not:

- individually; and/or
- in connection with effects of past projects, and/or
- in connection with current projects; and/or
- in connection with probable future projects, result in cumulatively considerable significant impacts.

Based on substantial evidence, potential impacts identified related to air quality, biological resources, and noise impacts are not cumulatively considerable. With mitigation measures applied to this project it will not result in impacts that are individually limited or cumulatively considerable.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	■	☐

Discussion: With mitigation measures applied as noted in VXIII b. above 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 that may have been used in this Analysis and Background / Explanatory Materials

Reference #	Document Title	Available for Review at:
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
14	Bike Master Plan, 2009	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446

Attachments

1 – General Plan Amendment Map
2 – Zoning Map Amendment
3 – Borkey Area Specific Plan Amendment
4 – Site Plan
5 – Elevations
6 – Biological Resources Assessment
7 – Trip Generation Study
8 – Mitigation Measures Summary

RESOLUTION NO. 15-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES ADOPTING A MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT 14-002, REZONE 14-001, SPECIFIC PLAN AMENDMENT 14-002, PLANNED DEVELOPMENT 14-003 AND CONDITIONAL USE PEMRIT 14-006 BUENA VISTA VILLAGE AT SAN ANTONIO WINERY APN: 025-391-075

WHEREAS, an application has been filed by Kirk Consulting, on behalf of San Antonio Winery, Inc., requesting consideration of the following entitlements:

- **General Plan Amendment 14-002** - Land Use Element of the General Plan to modify the existing RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed Use Overlay (MU) (i.e. RMF-8-MU); and

- **Rezone 14-001** – Zoning Map amendment to modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (MU) (i.e. R2-MU); and

- **Specific Plan Amendment 14-002** – An amendment to the Borkey Area Specific Plan, Subarea D, to modify the list of land uses conditionally permitted to allow multi-family residential units and mixed use development (e.g. four residential units, commercial retail, restaurants, and wine tasting); and

- **Planned Development 14-003** – a request develop approximately 12,000 sf of new development, including a restaurant, three boutique retail spaces, and four residential units; and

- **Conditional Use Permit 14-006** – a request to expand the list of conditionally permitted uses for this property.

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), Public Resources Code, Section 21000, et seq., and the City's Procedures for Implementing CEQA, an Initial Study and a Draft Mitigated Negative Declaration (MND) was prepared and circulated for a 30-day public review period beginning on May 1, 2015 and concluding June 2, 2015. The Draft MND/Initial Study is incorporated by reference into this Resolution, and is on file at the Paso Robles Community Development Department and available on line at http://www.prcity.com/government/departments/commdev/ ; and

WHEREAS, mitigation measures have been incorporated into the MND and will be imposed on the project through the City's adoption of a Mitigation Monitoring and Reporting Program (MMRP) in compliance with CEQA Guideline 15074(d). These mitigation measures are imposed on the project to address potential environmental effects from: air quality; biological resources; and noise. With the implementation of this mitigation, all potential environmental effects will be reduced to a less than significant level. The Mitigation Monitoring and Reporting Program in Exhibit A to this Resolution, are hereby incorporated herein by reference; and

WHEREAS, mitigation measures set forth in the MMRP are specific and enforceable. The MMRP adequately describes implementation procedures, monitoring responsibility, reporting actions, compliance schedule, and verification of compliance in order to ensure that the Project complies with the adopted mitigation measures; and

WHEREAS, the mitigation measures contained in the MMRP will also be imposed as enforceable conditions of approval; and

WHEREAS, the applicant has executed a Mitigation Agreement whereby the applicant has agreed to incorporate all of the mitigation measures listed in Exhibit A into the project. A copy of the executed Mitigation Agreement is on file in the Community Development Department; and

WHEREAS, public notice of the proposed Draft MND was posted as required by Section 21092 of the Public Resources Code; and

WHEREAS, a public hearing was conducted by the Planning Commission on April 28, 2015 and by the City Council on June 2, 2015, to consider the Initial Study and the draft MND prepared for the proposed project, and to accept public testimony on the proposed entitlements and environmental determination; and

WHEREAS, based on the information and analysis contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the City Council finds that there is no substantial evidence supporting a fair argument that there would be a significant impact on the environment with mitigation measures imposed on the project; and

WHEREAS, based on information and analysis contained in the Initial Study prepared for this project, the City Council finds that the water supply and water demand information provided the applicant (prepared by Wallace Group engineers), contains sufficient documentation on water resources necessary for an adequate environmental analysis of said water resources, in compliance with the City's Guidelines for Implementing CEQA, Section 5.3 (D), and concludes that there are adequate water resources available to serve the proposed project; and

WHEREAS, pursuant to CEQA the City Council has independently reviewed the Initial Study, the Mitigated Negative Declaration, and all comments received regarding the Mitigated Negative Declaration, and based on the whole record before it finds that the Mitigated Negative Declaration was prepared in compliance with CEQA and the CEQA Guidelines, that there is no substantial evidence that the Project will have a significant effect on the environment with the incorporation of mitigation, and the Mitigated Negative Declaration reflects the independent judgment and analysis of the City Council.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The recitals above are true and correct and incorporated herein in this Resolution.

Section 2. The City Council of the City of El Paso de Robles, based on its independent judgment and analysis, adopts the Mitigated Negative Declaration for the Buena Vista Village at San Antonio Winery, recommends the City Council adopt the Mitigation Monitoring and Reporting Program attached hereto as Exhibit A, and imposes each mitigation measure as a condition of approval, in accordance with the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA.

PASSED AND ADOPTED this 2nd day of June, 2015, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steven W. Martin, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

Exhibit A
Mitigation Monitoring and Reporting Plan

Project File No./Name: General Plan Amendment 14-002, Rezone 14-001, Specific Plan Amendment 14-002, Planned Development 14-003, and Conditional Use Permit 14-006 – Buena Vista at San Antonio Winery, San Antonio Winery, Inc., APN 025-391-075, 2610 Buena Vista Drive

Approving Resolution No.: Resolution by: ☐ Planning Commission ☒ City Council Date: June 2, 2015

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 indicated above to lessen the level of environmental impact of the project to a level of non-significance. A completed and signed checklist for each mitigation measure indicates that it has been completed. A description of each measure is provided in Exhibit A, attached to this document.

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
Bio -1 Habitat subject to permanent and temporary construction disturbances and other types of ongoing project-related disturbance activities should be minimized by adhering to the following activities. Project designs should limit or cluster permanent project features to the smallest area possible while still permitting achievement of project goals. To minimize temporary disturbances, all project-related vehicle traffic should be restricted to established roads, construction areas, and other designated areas. These areas should also be included in preconstruction surveys and, to the extent possible, should be established in locations disturbed by previous activities to prevent further impacts. a. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited. b. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all	Project ongoing	CDD			Prior to site disturbance/grading. Ongoing during construction.

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and the California Department of Fish and Game (CDFG) shall be contacted as noted under measure 13 referenced below. c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped. d. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site. e. No firearms shall be allowed on the project site. f. No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens. g. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other					

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox. h. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service. i. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site. j. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to preproject conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Game (CDFG),					

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
and revegetation experts. k. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance. l. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG immediately in the case of a dead, injured or entrapped kit fox. The CDFG contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530)934-9309. The Service should be contacted at the numbers below. m. The Sacramento Fish and Wildlife Office and CDFG shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309. n. New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.					
Bio – 2 The applicant shall complete the SJKF Habitat Evaluation Form and consult with the City and CDFW to determine if payment of an in-lieu fee to an approved mitigation bank is necessary.	Project,	CDD			Prior to issuance of grading permit
AQ – 1	Project	Building Dept		Stamped on building plans	Prior to issuance of grading permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
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. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid a s soon as possible after grading unless seeding or soil binders are used; The above mitigation measures shall be shown on grading and building plans. e. 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.					
AQ - 2 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 that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive	Project Ongoing	CDD, Building Dept		Stamped on building plans	Prior to issuance of building permit.

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
or NOx 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. 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.					
N-1 Building design and construction methods for residences shall ensure noise level for residential building interiors shall not exceed CNEL. Documentation (Noise Assessment) of noise levels shall be prepared by an acoustical engineer.	Project	CDD Building			Prior to issuance of building permits.
	Project	CDD			Prior to certificate of occupancy

Explanation of Headings:

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

RESOLUTION NO. 15-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES APPROVING GENERAL PLAN AMENDMENT 14-002 BUENA VISTA VILLAGE AT SAN ANTONIO WINERY 2610 BUENA VISTA DRIVE APN 025-391-075

WHEREAS, an application has been filed by Kirk Consulting, on behalf of San Antonio Winery, Inc., requesting consideration of General Plan Amendment 14-002 - Land Use Element of the General Plan to modify the existing RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed Use Overlay (MU) (i.e. RMF-8-MU); and

WHEREAS, the property is located at 2610 Buena Vista Drive, APN 025-391-075, as shown in Exhibit A; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration was prepared to describe the effects of the General Plan Amendment; and

WHEREAS, at its meeting of June 2, 2015, the City conducted a public hearing on the Project, and made the following findings:

a. General Plan Amendment 14-002 will be consistent with the Land Use Element of the General Plan, and will specifically support the intent of LU-1, by providing opportunities to live, work and play, by encouraging mixed-use development;

b. General Plan Amendment 14-002 will provide an appropriate transition of land uses between surrounding multi-family development and visitor-serving, non-residential development;
c. Considered the facts and analysis, as presented in the staff report prepared for this amendment;

d. Conducted a public hearing to obtain public testimony on this amendment, and based on its independent judgment, found that there was no substantial evidence that this amendment would have significant adverse effect on the environment, and recommended approval of a Mitigated Negative Declaration for this General Plan Amendment, in accordance with the California Environmental Quality Act;

NOW, THEREFORE, BE IT RESOLVED, that 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, and does hereby approve of General Plan Amendment 14-002, as shown in Exhibit A.

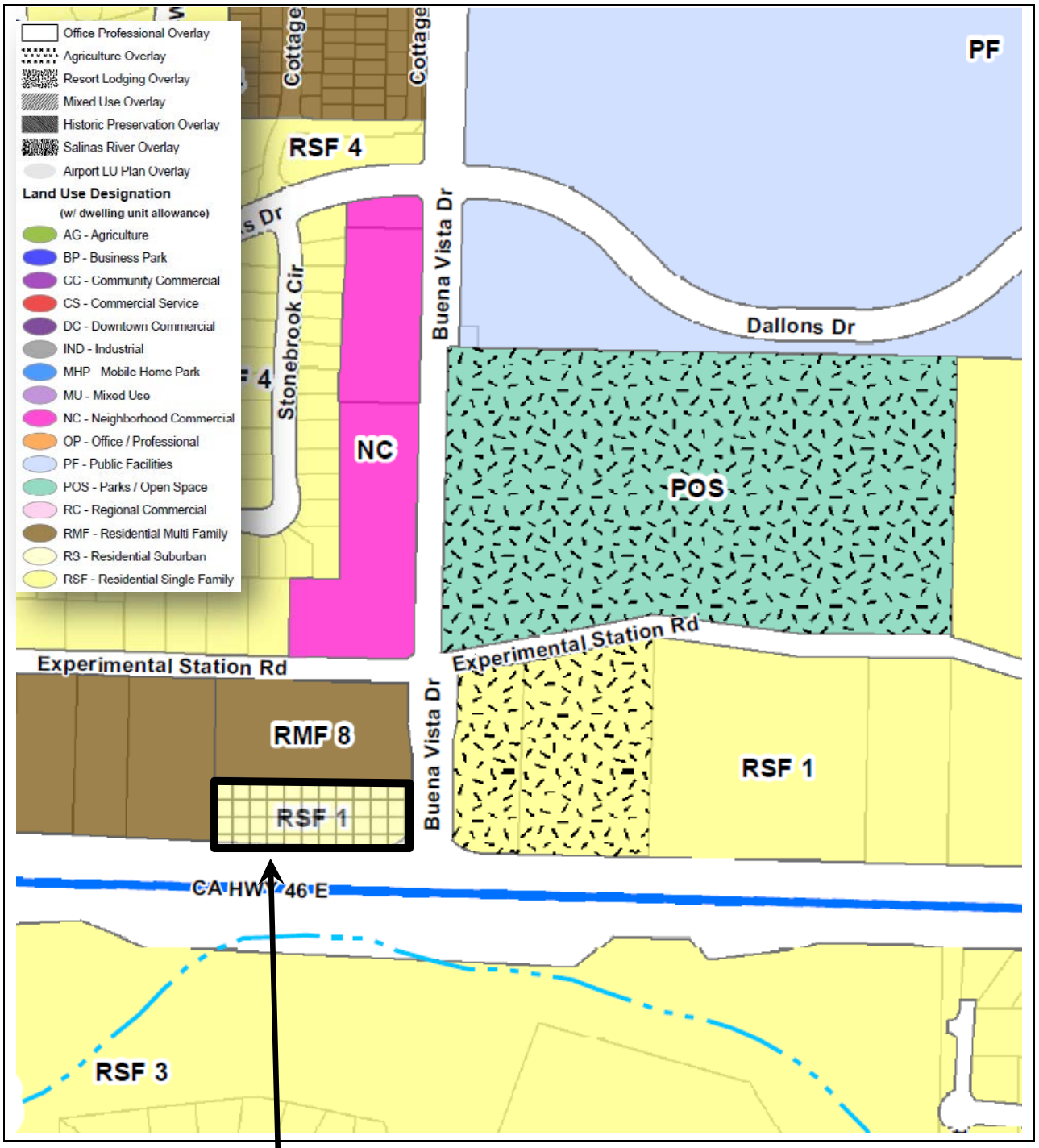
AYES:
NOES:
ABSENT:
ABSTAIN:

Steven W. Martin, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

Exhibit A: General Plan Land Use Plan Amendment



General Plan Amendment 14-002
Existing: RSF-1
Amended: RMF-8-MU
Residential Multi-Family Low Density
(RMF-8) with Mixed Use Overlay (MU)

ORDINANCE NO. xxxx N.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES AMENDING THE CITY ZONING MAP ESTABLISHED BY REFERENCE IN SECTION 21.12.020 OF THE ZONING CODE (TITLE 21) AND AMENDING THE BORKEY AREA SPECIFIC PLAN BUENA VISTA VILLAGE AT SAN ANTONIO WINERY 2610 BUENA VISTA DRIVE APN 025-391-075

WHEREAS, an application has been filed by Kirk Consulting, on behalf of San Antonio Winery, Inc., requesting consideration of the following entitlements:

- **Rezone 14-001** – Zoning Map amendment to modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (MU) (i.e. R2-MU); and

- **Specific Plan Amendment 14-002** – An amendment to the Borkey Area Specific Plan, Subarea D, to modify the list of land uses conditionally permitted to allow multi-family residential units and mixed use development (i.e. four residential units, commercial retail, restaurants, and wine tasting); and

WHEREAS, the property is located at 2610 Buena Vista Drive, APN 025-391-075, as shown in Exhibit A; and

WHEREAS, the rezone is necessary to provide zoning map consistency between the City General Plan proposed land use designation of Residential Multi-Family-8-Mixed-Use (RMF-8-MU) and zoning map amendment to modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (R2-MU), as shown in Exhibit A; and

WHEREAS, the site is located with Subarea 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 list of conditionally permitted land uses in Subarea D for this property, as shown in Exhibit B; and

WHEREAS, at its meeting of April 28, 2015, the Planning Commission took the following actions:

a. Considered the facts and analysis, as presented in the staff report prepared for this project;
b. Conducted a public hearing to obtain public testimony on the proposed project;
c. Based on the information contained in the Initial Study prepared for this project, found that there was an inconsistency with the project environmental analysis and compliance with the City's Guidelines for Implementing the California Environmental Quality Act as it relates to information prepared for the water resource analysis of the Initial Study. Therefore, Planning Commission did not recommend approval of the Mitigated Negative Declaration (MND) to the City Council; and

WHEREAS, at its meeting of June 2, 2015, the City Council took the following actions:

a. Considered the facts and analysis, as presented in the staff report prepared for this project;
b. Considered the recommendations of the Planning Commission;
c. Conducted a public hearing to obtain public testimony on the proposed project;
d. Based on the information contained in the Initial Study prepared for this project, found that there is no substantial evidence that this project would have significant adverse effects on the environment, and that the information provided in the Initial Study related to the water resource analysis was sufficient and in compliance with the City's Guidelines for Implementing the California Environmental Quality Act, and adopted a Mitigated Negative Declaration.

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearing, including oral and written staff reports, finds as follows:

1. The above stated facts of this ordinance are true and correct.
2. This rezone is consistent with the City's General Plan.
3. The amendment to the Borkey Area Specific Plan is consistent with surrounding land uses.

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

SECTION 1.

a. Section 21.12.020 of the Municipal Code (Zoning Map) is hereby amended as shown on the attached Exhibit A.
b. Borkey Areas Specific Plan, Section III, Page 19 (Subarea D) is hereby amended, as shown on the attached Exhibit B.

SECTION 2. 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 3. 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 4. Inconsistency. To the extent that the terms of 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 and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council held on June 2, 2015, and passed and adopted by the City Council of the City of El Paso de Robles on the 16th day of June, 2015 by the following roll call vote:

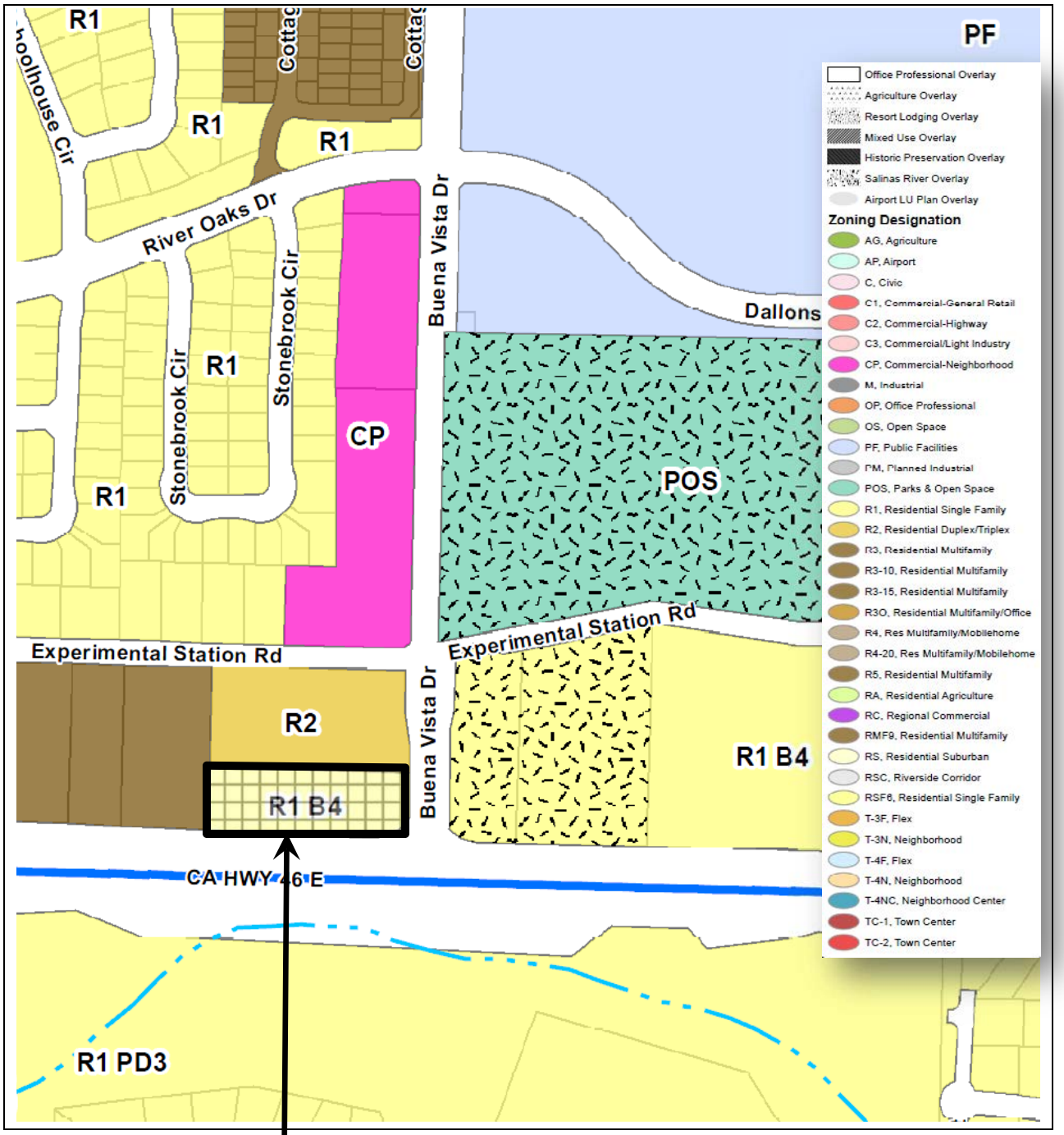
AYES:
NOES:
ABSENT:
ABSTAIN:

Steven W. Martin, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

Exhibit A: Zoning Map Amendment



Zoning Map Amendment 14-001

Existing: **R1-B4**

Amended: **R2-MU**

Residential Multi-Family (R-2) with Mixed Use Overlay (MU)

Exhibit B

Borkey Area Specific Plan Amendment
SPA 14-002

Page III-19

Existing Text - Subarea D

D-2 The existing commercial business located at the northwest corner of Buena Vista Drive and State Highway 46 (Martin Brothers Winery tasting room) shall be permitted to remain in place in this subarea, and shall be regarded as a legal use; expansion of the existing uses on the current parcel, however, may be permitted only under a revision to the Conditional Use Permit currently applicable to the site.

Amended Text - Subarea D

D-2 The existing commercial business located at the northwest corner of Buena Vista Drive and State Highway 46 (~~Martin Brother Winery~~ e.g. wine tasting room) shall be permitted to remain in place in this subarea, and shall be regarded as a legal use; expansion of the existing uses on the current parcel, however, may be permitted only under a revision to the Conditional Use Permit currently applicable to the site. Additional small-scale commercial uses (e.g. restaurant, retail, artisians, and support uses) and four residences (e.g. one 2-bedroom home and three attached 1-bedroom units above commercial spaces) may also be permitted with approval of an amendment to the applicable Conditional Use Permit.

RESOLUTION NO. 15-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES APPROVING PLANNED DEVELOPMENT 14-003 AND CONDITIONAL USE PERMIT 14-006 BUENA VISTA VILLAGE AT SAN ANTONIO WINERY 2610 BUENA VISTA, DRIVE APN 025-391-075

WHEREAS, an application has been filed by Kirk Consulting, on behalf of San Antonio Winery, Inc., requesting consideration of the following entitlements:

- **General Plan Amendment 14-002** - Land Use Element of the General Plan to modify the existing RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed-Use Overlay (MU) (i.e. RMF-8-MU); and

- **Rezone 14-001** – Zoning Map amendment to modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed-Use Overlay (MU) (i.e. R2-MU); and

- **Specific Plan Amendment 14-002** – An amendment to the Borkey Area Specific Plan, Subarea D, to modify the list of land uses conditionally permitted to allow multi-family residential units and mixed use development (i.e. four residential units, commercial retail, restaurants, and wine tasting); and

- **Planned Development 14-003** – a request develop approximately 12,000 sf of new development, including a restaurant, (3) three boutique retail spaces, and (4) four residential units; and

- **Conditional Use Permit 14-006** – a request to expand the list of conditionally permitted uses for this property.

WHEREAS, Section 21.20.130 of the Zoning Code allows architectural roof and tower features of buildings to be permitted in excess of height limits, subject to review by the Development Review Committee (in this case the Planning Commission concurrent with the PD 14-003); and

WHEREAS, a public hearing was conducted by the Planning Commission on April 28, 2015, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed development plan, and recommended approval of the project subject to modifications to the list of Conditions of Approval, by eliminating conditions that would have required the applicant install transit stop and crosswalk improvements on Buena Vista Drive; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), Public Resources Code, Section 21000, et seq., and the City's Procedures for Implementing CEQA, an Initial Study and a Draft Mitigated Negative Declaration (MND) was prepared and circulated for a 30-day public review period beginning on May 1, 2015 and concluding June 2, 2015. The Draft MND/Initial Study dated April 17, 2015 is incorporated by reference into this Resolution; and

WHEREAS, based upon 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:

1. The project is consistent with the adopted codes, policies, standards and plans of the City, specifically the City's General Plan, Land Use Element LU-1 since the project would support mixed land uses, and encourage visitor-serving land uses, and due to the high quality of the site plan, landscaping plan and the authentic Mediterranean architectural design theme (similar to

existing architecture on the site and in the nearby vicinity) the proposed building would provide an attractive entrance to the City; and

2. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and/or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City, since it would provide a well-designed site and architecture; and

3. The proposed development plan accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors; entrances, and the public right-of-way as viewed from State Route 46 East and Buena Vista Drive; and

4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance consistent with design themes of surrounding development, and contributes to the mitigation of any environmental and social impacts by not impacting biological resources on the site, by incorporating site-specific mitigation measures, and by providing mixed-use development which will benefit surrounding development and community as a whole; and

5. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc. since the project incorporates natural features into the site design and does not propose to remove or impact oak trees or the drainage swale on the site; and

6. The proposed development plan contributes to the orderly development of the City as a whole, since it will improve the transition of land uses in the vicinity from multi-family residential to non-residential, visitor-serving land uses; and

7. The proposed development plan as conditioned would meet the intent of the General Plan and Zoning Ordinance by providing the opportunity for well -designed attractive development visible to a major entrance area to the City; and

8. Allowing for the 42 foot tall tower element would enhance the architectural appearance of the restaurant building, and therefore would help promote architectural and design excellence, consistent with General Plan Policy LU-2B, Visual Identity.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby approve Planned Development 14-003 and Conditional Use Permit 14-006, subject to the following condition:

STANDARD CONDITIONS:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution.

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:

EXHIBIT	DESCRIPTION
A	Standard Conditions
B	Site Plan / Landscape Plan
C	Preliminary Grading and Drainage Plan
D	Winery/Café Floor Plan
E	Winery/Café West Elevation
F	Winery/Café South-East Elevation
G	Residential/Retail Building Front Elevation

3. PD 14-003 & CUP 14-006 allows for the expansion of the existing use of the property (e.g. wine tasting room), and add approximately 12,000 sf of new development, including a restaurant, (3) three boutique retail spaces, and (4) four residential units, as shown in Exhibits B-G above. The approval of PD 14-003 allows for the construction of the 42-foot tall tower.

4. Prior to the issuance of a building permit the following final details shall be submitted for Planning Division Staff review:
    a. Final site plan and architectural elevations;
    b. Exterior light fixtures;
    c. Final colors/materials;
    d. Detailed landscape plan including transformer, backflow and other equipment screening; Note: Landscape plan is subject to the requirements within the LS Ordinance;
    f. Fencing Plan.

5. (deleted)

6. (deleted)

7. Prior to occupancy, the existing well must be abandoned in accordance with County Health Department Standards, and the property must be provided with municipal water service.

8. The project shall incorporate 61 automobile parking spaces and 3 motorcycle parking spaces on the project site, and a bike rack with at least 4 bike spaces to be located near the entrances to the restaurant and shops.

9. Prior to occupancy, the applicant shall dedicate the westerly 60 feet of the property to the City for open space to allow for the potential of trail construction.

10. The project shall comply with and incorporate all mitigation measures as provided in the associated Mitigation Monitoring and Reporting Program of the Mitigated Negative Declaration adopted by City Council.

11. The applicant shall remove all existing business banner signs prior to occupancy. The applicant shall apply for a Master Sign Program for all businesses on the site to ensure that they are architecturally compatible with the building design theme.

12. If any residences are to be used as vacation rentals in any capacity (e.g. not used as a permanent residence), the property owner shall obtain a business license and comply with all applicable transient occupancy regulations.

Mitigation Measures - Conditions of Approval:

13. Biological Resources:
    Habitat subject to permanent and temporary construction disturbances and other types of ongoing project-related disturbance activities should be minimized by adhering to the following activities. Project designs should limit or cluster permanent project features to the smallest area possible while still permitting achievement of project goals. To minimize temporary disturbances, all project-related vehicle traffic should be restricted to established roads, construction areas, and other designated areas. These areas should also be included in preconstruction surveys and, to the extent possible, should be established in locations disturbed by previous activities to prevent further impacts.

    a. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.

    b. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and the California Department of Fish and Game (CDFG) shall be contacted as noted under measure 13 referenced below.

    c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.

    d. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.

    e. No firearms shall be allowed on the project site.

    f. No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens.

    g. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.

h. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service.

i. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.

j. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to preproject conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Game (CDFG), and revegetation experts.

k. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance.

l. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG immediately in the case of a dead, injured or entrapped kit fox. The CDFG contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530)934-9309. The Service should be contacted at the numbers below.

m. The Sacramento Fish and Wildlife Office and CDFG shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.

n. New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.

14. Biological Resources:
    The applicant shall complete the SJKF Habitat Evaluation Form and consult with the City and CDFW to determine if payment of an in-lieu fee to an approved mitigation bank is necessary.

15. Air Quality:
    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. 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. This mitigation measure shall be shown on grading and building plans.

    e. 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.

16. Air Quality:
    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 that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx 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;

    k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

l. To the extent practical, reuse and recycle construction waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard.

m. 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.

17. Noise Impacts:
Building design and construction methods for residences shall ensure noise level for residential building interiors shall not exceed the CNEL level identified in the Noise Element of the General Plan. Documentation (Noise Assessment) of noise levels shall be prepared by an acoustical engineer.

PASSED AND ADOPTED THIS 2nd day of May 2015 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steven W. Martin, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

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: June 2, 2015
Applicant: San Antonio Winery, Inc	Location: 2610 Buena Vista Dr.
APN:025-391-075	

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 June 2, 2017 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:

_____

_____.

****

(Adopted by Planning Commission Resolution _____)

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 Strom 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:

Street Name	City Standard	Standard Drawing No.
Buena Vista Dr.		

☐ 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.

RECEIVED
NOV 20 2014
City of Paso Robles
Community Development Dep

Existing Pole Light

Site Lighting Legend

POLE LIGHTS TO MATCH EXISTING

(REFER TO ARCHITECTURE PLANS FOR PROPOSED BUILDING MOUNTED LIGHTS)

Existing Native Oak Trees
e.g. Quercus Agrifolia

Perimeter Shrubs and Groundcovers
Large mass ngs of grasses and groundcovers with accent shrubs and perennials.

Existing Irrigated Native Meadow Grasses to remain

Evergreen Shade Trees
e.g. Rhus lancea, Arbutus 'Marina'

Deciduous Accent Trees
e.g. London Plane Tree, Honey Locust

Shrubs and Ground Covers

Existing Evergreen Trees
e.g. Fruitless Olive, Rhus lancea

Evergreen Parking Lot Trees
e.g. Fruitless Olive, Oak

Deciduous Screen Trees
e.g. Crepe Myrtle

STATE HIGHWAY 46 (EAST)

BUENA VISTA DRIVE

Preliminary Plant Materials List

Broad Leaf Evergreen Trees
(15 gallon minimum size)

Arbutus 'Marina'	Strawberry Tree
Olea europea	Olive (Fruitless)
Quercus agrifolia	California Live Oak
Rhus lancea	African Sumac

Deciduous Trees
(15 gallon minimum size)

Gleditsia triacanthos	Honey Locust
Lagerstroemia indica 'Muskogee'	Crape Myrtle
Platanus acerifolia	London Plane Tree

Ornamental Grass
(1 gallon minimum size)

Calamagrostis 'Karl Foerster'	Feather Reed Grass
Muhlenbergia rigidus	Deer Grass
Stipa tenuissima	Mexican Feather Grass

Shrubs
(5 gallon minimum size)

Abelia grandiflora	Glossy Abelia
Arbutus unedo 'compacta'	Dwarf Strawberry Tree
Arctostaphylos 'Howard McMinn'	Howard McMinn Manzanita
Berberis thunbergia	Japanese Barberry
Buxus japonica	Japanese Boxwood
Ceanothus spp.	California Lilac
Escallonia hebbi	Escallonia
Lavandula spp.	Lavender
Ligustrum japonicum 'Texanum'	Glossy Privet
Phormium tenax 'Maori Queen'	Dwarf New Zealand Flax
Photinia fraseri	Photinia
Raphiolepis indica	India Hawthorn
Rosa spp.	Flowering Rose
Rosmarinus officinalis	Rosemary
Viburnum tinus 'spring bouquet'	(no common name)

Ground Covers and Flowering Perennials
(1 gallon minimum size)

Ceanothus 'Yankee Point'	Ceilleri a Lilac
Cotoneaster dammeri	Bearberry Cotoneaster
Gaura lindheimeri	Gaura
Hemerocallis hybrid	Day Lily
Lavandula 'Monstead'	Lavender
Penstemon glaucoides	Border Penstemon
Rosa spp.	Carpet Rose
Rosmarinus officinalis	Rosemary

Vines
(5 gallon minimum size, attach to wall)

Jasminum polyanthum	Pink Jasmine
Wisteria sinensis	Chinese Wisteria

Mulch
Mulch all ground cover and planter areas with 2" minimum layer 'walk on' bark

Water Conservation Notes

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

1. Irrigation system to be a fully automatic underground system utilizing either low-precipitation spray heads, bubblers, or drip emitters, or a combination thereof. Irrigation hydrozones shall be separated with control valves and controller stations into appropriate and compatible zones.

2. Irrigation controller shall be weather (E.T.) based and designed to automatically adjust irrigation in response to changes in the plant's water needs as weather conditions change.

3. Plant materials proposed are selected for their compatibility to climatic and site conditions, resistance to wind, and drought tolerance.

4. All planters shall be mulched with a 2" minimum layer of organic mulch throughout.

5. Plant materials proposed shall be grouped into distinct hydrozones utilizing plants with similar water needs.

6. Water needs of plant material proposed have been evaluated utilizing the WUCOLS Project (Water Use Classification of Landscape Species) prepared by the University of California Cooperative Extension, February 1990. All plant materials proposed are selected for low to moderate water needs in this climate.

Irrigation Water Demand Calculation (WELO)

San Antonio Winery
Paso Robles, CA

North
Scale: 1" = 20'-0"
20' 10' 0 20' 40'

firma landscape architects

Preliminary Landscape & Lighting Plan
San Antonio Winery
Paso Robles, CA

Exhibit B
Site Plan/Landscape Plan

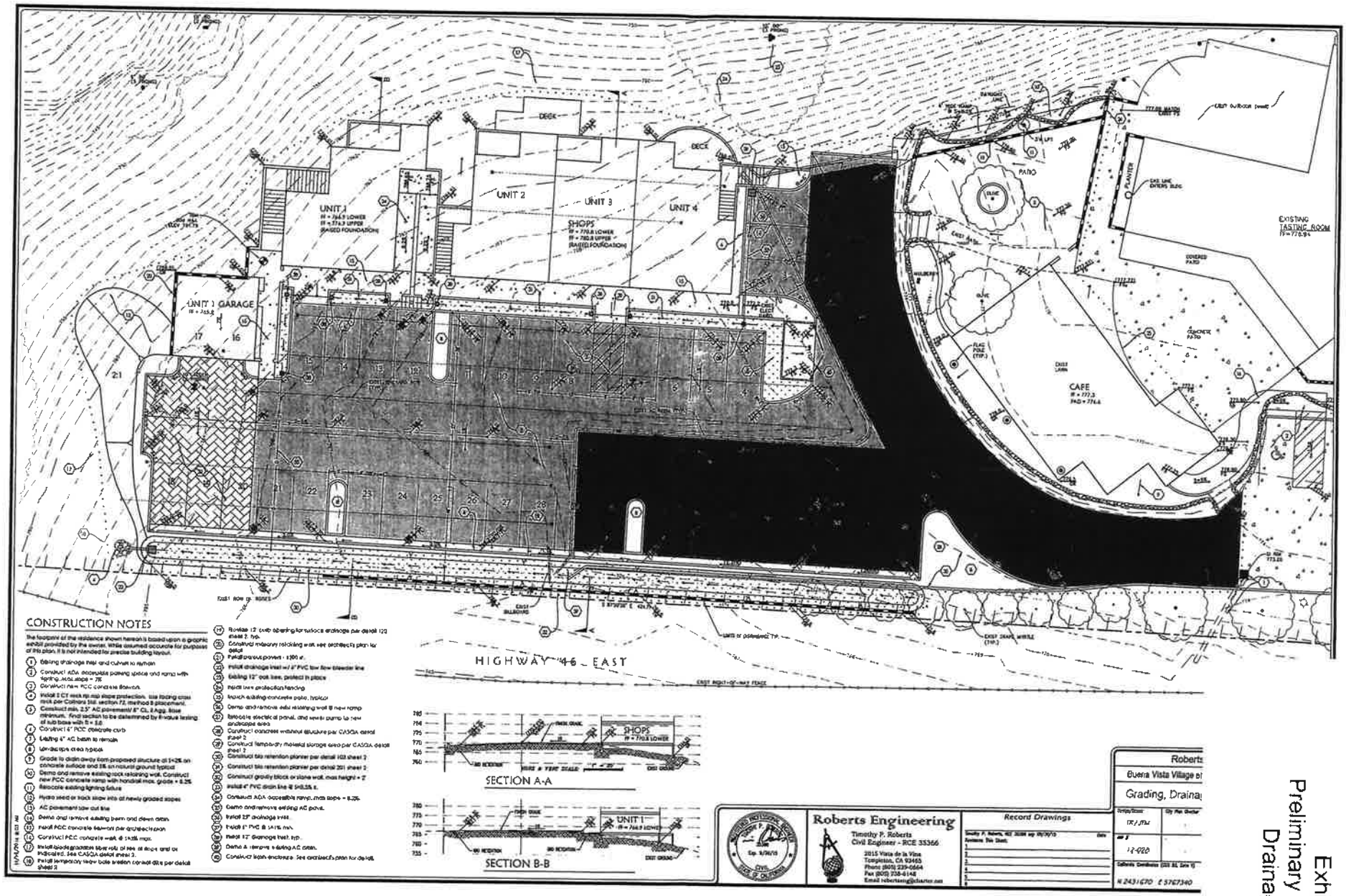
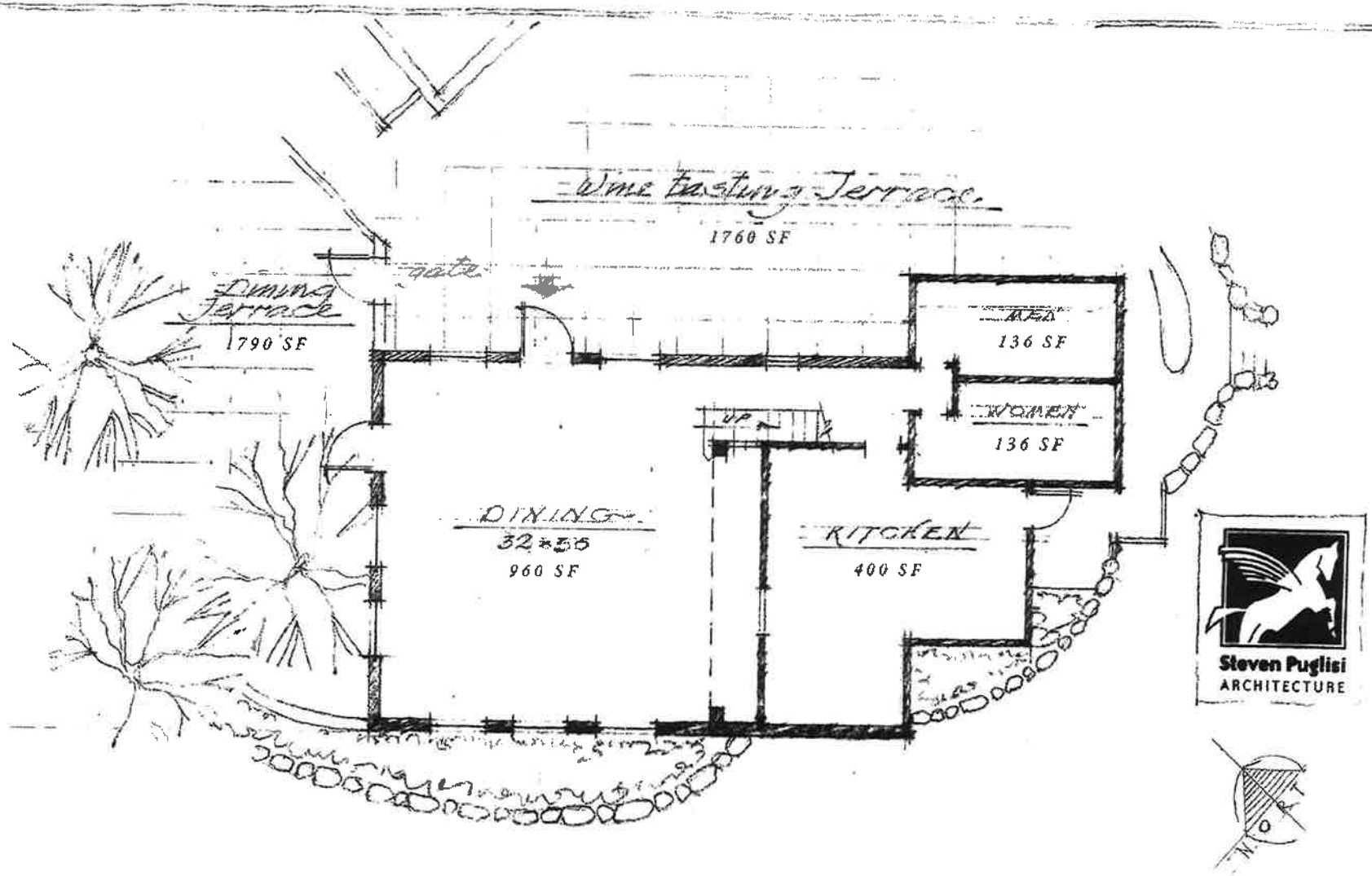


Exhibit C
Preliminary Grading and Drainage Plan



SAN ANTONIO WINERY CAFE FLOOR PLA

JULY 22 2014

1/8"=1

D

Exhibit D
Winery/Cafe Floor Plan

SOUTH-EAST ELEVATION

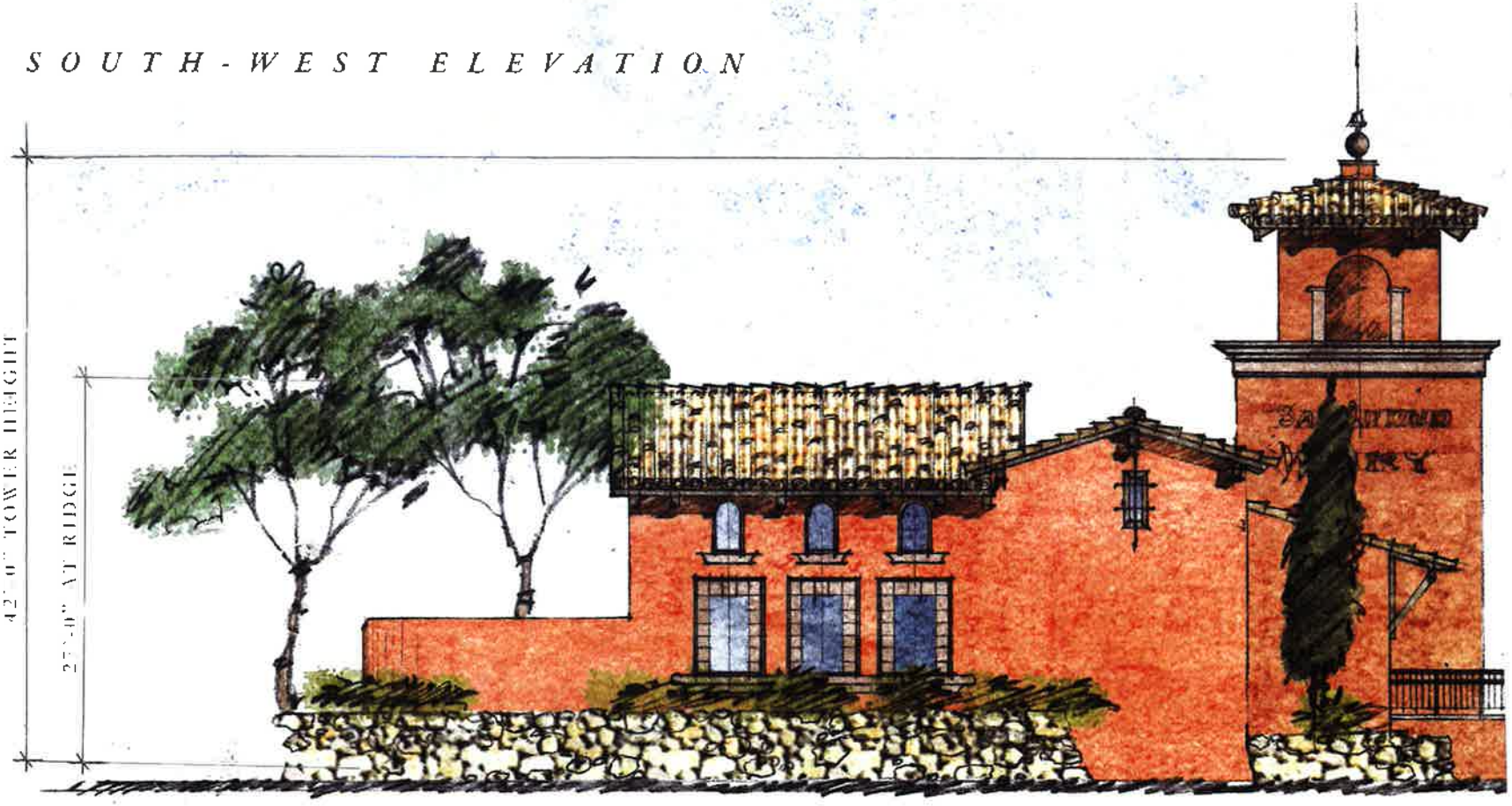
SAN ANTONIO WINERY CAFE

APRIL 28TH, 2015

1/8" = 1'-0"

Exhibit F
Winery/Cafe South-East Elevation

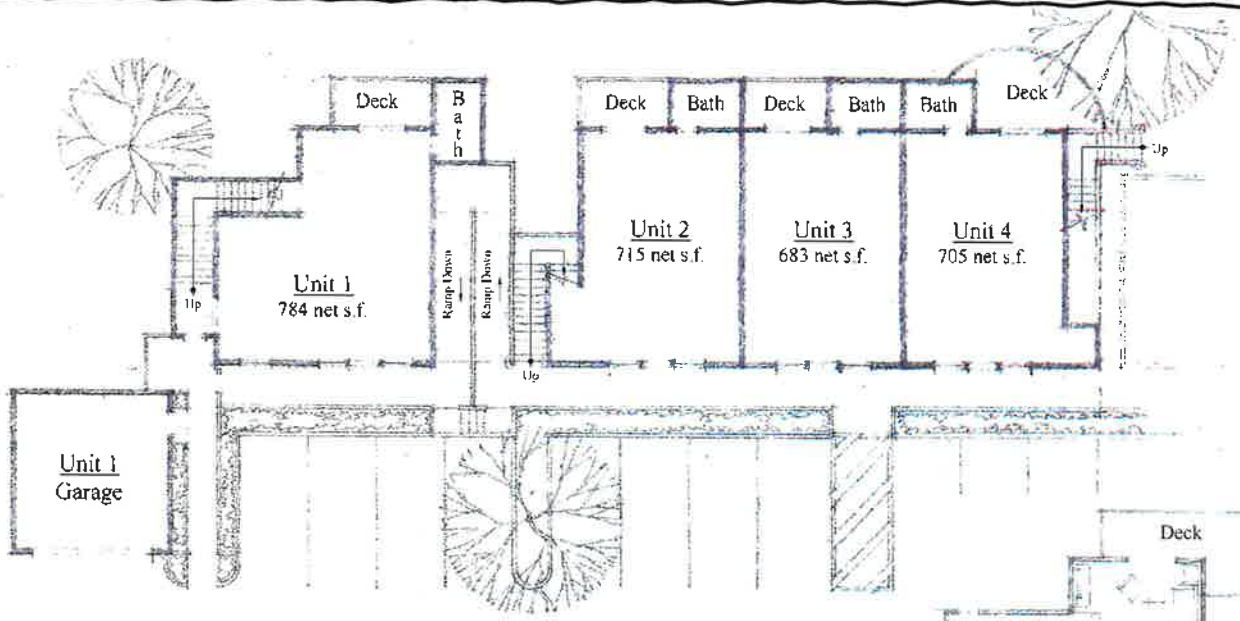
SOUTH-WEST ELEVATION



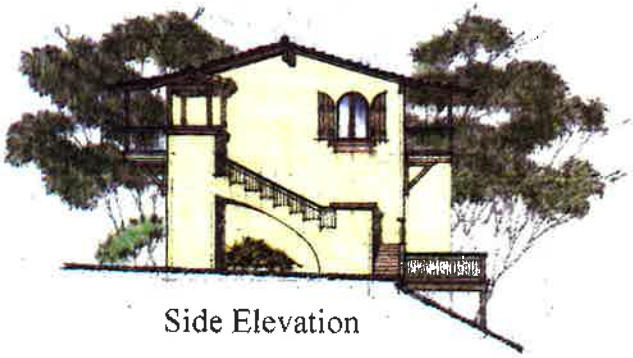
SAN ANTONIO WINERY CAFE

APRIL 28TH, 2015

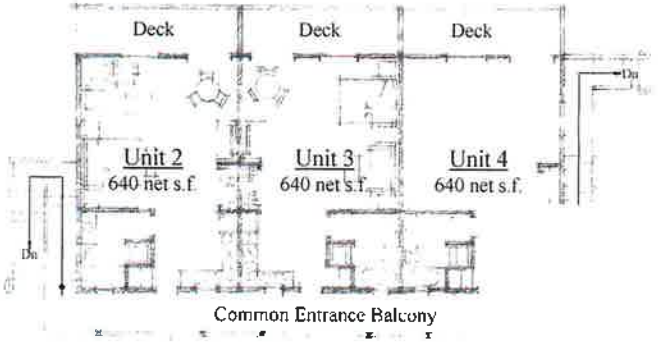
1/8" = 1'-0"



Lower Floor Plan



Side Elevation



Upper Fl

Front Elevation

Units 1 t
Buenavista

Steven Pugl
583 Dana Stree
San Luis Obisp
805.595.1962

Exhibit G
Residential/Retail
Building Front Elevations

AFFIDAVIT

OF MAIL NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Susan DeCarli, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for the Buena Vista Village at San Antonio Winery (GPA 14-002/RZ 14-001/SPA 14-002/PD 14-003/CUP 14-006) request on this 1st day of May, 2015.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: Susan DeCarli
Susan DeCarli

THE TRIBUNE
Newspaper of the Central Coast

3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

In The Superior Court of The State of California
In and for the County of San Luis Obispo
AFFIDAVIT OF PUBLICATION

AD # 1704588
CITY OF PASO ROBLES

STATE OF CALIFORNIA
ss.
County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit; MAY 1, 2015 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Jane E. Durand
(Signature of Principal Clerk)
DATED: MAY 1, 2015
AD COST: $250.86

CITY OF EL PASO DE ROBLES

NOTICE OF PUBLIC HEARING AND NOTICE OF INTENTTO ADOPT A MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT 14-002, REZONE 14-001 SPECIFIC PLAN AMENDMENT 14-002, CONDITIONAL USE PERMIT 14-006AND PLANNED DEVELOMENT 14-003 2610 STATE HWY 46 EAST (S/W CORNER OF BUENA VISTA DRIVE AND SR 46E), PASO ROBLES, APN: 008-391-021 - SAN ANTONIO WINERY, INC.

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing on Tuesday, June 2, 2015 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 approval of the following project:

- General Plan Amendment - Change the RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed Use Overlay (MU) (e.g. RMF-8-MU)
- Rezone - Change the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (MU) (e.g. R2-MU)
- Specific Plan Amendment - Amend the Borkey Area Specific Plan, Subarea D, to allow multi-family residential units and mixed use development (e.g. 4 residential units, commercial retail, restaurants, and wine tasting)
- Conditional Use Permit - To allow expansion of commercial uses in the Borkey Area Specific Plan, Subarea D.
- Planned Development - Expand the existing use of the property (e.g. wine tasting room), and add approximately 12,000.sf of new development, including a restaurant, 3 boutique retail spaces, 3 townhouse-style residential units above the retail spaces, and 1 single-family residence.

Under the California Environmental Quality Act (CEQA), the 30-day public review period for the Mitigated Negative Declaration (MND) is May 4, 2015 through June 2, 2015. 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 available on the City website at:

http://www.prcity.com/government/departments/commdev/index.asp.

Written comments on the proposed project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to dnash@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 Darren Nash at (805) 237-3970 or email at dnash@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 City Council at or prior to the public hearing.

Darren Nash, Associate Planner
May 1, 2015
1704588

RECEIVED