

**TO:** HONORABLE CHAIRMAN AND PLANNING COMMISSION  
**FROM:** RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** REZONE 06-003, PLANNED DEVELOPMENT 06-015  
1028 21<sup>ST</sup> STREET, APPLICANT – SUNDANCE ENTERPRISES

**DATE:** MARCH 13, 2007

**Needs:** For the Planning Commission to consider a Rezone and Planned Development application to rezone property to be in conformance with the General Plan, and to construct a mixed-use residential and commercial project, with seven 3-bedroom apartments and 1,240 s.f. of commercial space.

**Facts:**

1. This item was considered by the Planning Commission at the meeting on February 27, 2007. Six Planning Commissioners were present at that meeting, and the Commission had a 3-3 vote. This item was continued to this meeting for a final determination on this project.
2. The project site is located at 1028 21<sup>st</sup> Street. The current zoning of the property is Multi-Family Residential (R3). The General Plan Land Use Designation is Commercial Service Mixed-Use Overlay (CS M-U). The applicant is proposing to rezone the property from R3 to Commercial/Light Industrial with a Mixed-Use Overlay (C3 M-U), to provide consistency between the Zoning Map and Land Use Map.
3. The Commission expressed concern regarding: 1) a request for a Joint Use Parking Agreement and potential parking impacts; 2) the building motel-like form and suitability of outdoor amenities; and 3) residential density. The previous staff report from the meeting on February 13, 2007 is attached for reference.

As noted in the prior staff report, the proposed project is primarily residential. With the requested zoning amendment, which will bring the zoning into conformance with the General Plan, the density would increase from a potential yield three residences to seven. Given site constraints and the applicant's request to maximize development and building efficiency on this site, it limits flexibility in creative site design. This in turn, limits the options for building form and open space planning. Twenty-one parking spaces are required with the proposed project. If the project were reduced by one unit (total of six 3-bedroom apartments), the parking reduction would not be needed.

The General Plan and Economic Strategy encourage infill development and to provide for rental opportunities, however it is important that all development be designed for long-term, livability and neighborhood quality.

**Options:** After opening the public hearing and taking public testimony, the Planning Commission is requested to take one of the actions listed below:

- a. Deny the rezone and/or Planned Development 06-015 as being inconsistent with the intent of the City's Mixed-Use Regulations.
- b. By separate motions: 1) recommend approval of Rezone 06-003; and 2) recommend approval of Planned Development 06-015.

- c. Amend, modify, or reject the above-listed action.
- d. Request additional information and analysis.

**Staff Report Prepared By:** Susan DeCarli

**Attachments:**

1. Planning Commission Staff Report, dated February 27, 2007
2. Resolution to Deny Rezone 06-003 and PD 06-015
3. Ordinance for Rezone 06-003
4. Resolution to Recommend Approval of Planned Development 06-015

**TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION**

**FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR**

**SUBJECT: REZONE 06-003, PLANNED DEVELOPMENT 06-015**  
**1028 21<sup>ST</sup> STREET, APPLICANT – SUNDANCE ENTERPRISES**

**DATE: FEBRUARY 27, 2007**

**Needs:** For the Planning Commission to consider a Rezone and Planned Development application to rezone property to be in conformance with the General Plan, and to construct a mixed-use commercial and residential project.

**Facts:**

1. The project site is located at 1028 21<sup>st</sup> Street.
2. The current zoning of the property is Multi-Family Residential (R3). The General Plan Land Use Designation is Commercial Service Mixed-Use Overlay (CS M-U). The applicant is proposing to rezone the property from R3 to Commercial/Light Industrial with a Mixed-Use Overlay (C3 M-U), to provide consistency between the Zoning Map and Land Use Map.
3. Surrounding land uses are primarily residential in character and include a church and multi-family residences to the east, multi-family residences to the south, a commercial parking lot to the north, and a single family home to the west.
4. The development project is a proposal to construct a two-story, mixed use building with 1,240 s.f. of commercial space along the 21<sup>st</sup> Street frontage (both upstairs and downstairs), and seven apartment units totaling approximately 8,082 s.f.
5. The project requires 21 parking spaces. Due to the size and design of the project, the applicant can only provide 19 spaces, and is requesting a Joint Use shared parking agreement with this application for three parking spaces.
6. The open space requirements (300 s.f. per dwelling unit) has been provided for the residences with either a ground floor enclosed, outdoor patio area or a balcony for the 2<sup>nd</sup> story units. Common open space has been provided at the rear area of the site.
7. The proposed project complies with the Mixed-Use development standards. While the standards do not require mixed use projects to include a specific ratio between commercial and residential land uses, this project is predominantly residential (85% of the building).
8. There are two oak trees located in the rear area of the property. These trees are proposed to be protected and incorporated into the landscape plan for the common open space area.
9. The architectural style incorporates Mediterranean forms and materials, including use of smooth, off-white stucco for the building walls, and terra cotta colored wainscot tiles and roofing.

10. The Development Review Committee (DRC) considered this project at their meetings on December 4, 2006 and January 16, 2007. The DRC supported the quality and use of materials, but had reservations regarding the predominance and density of the residential use of the site versus the commercial component. The DRC also expressed concern that the building form looked somewhat like a hotel, and that the usability of the open space was less than desirable, and questioned whether it would create a quality living environment for the residents.
11. Per the California Environmental Quality Act (CEQA), an environmental review was conducted since the rezone is a legislative act. No significant environmental impacts were identified that may result from this project. Therefore, a draft Negative Declaration has been prepared.

**Analysis  
and**

**Conclusions:** As noted above, the application includes a request for a rezone from R3 to C3 M-U. The current zoning would allow for up to three residences. If the zoning was brought into conformance with the General Plan designation, with the underlying district of being Commercial and with the Mixed Use Overlay the density would significantly increase and allow up to 20 dwelling units per acre. The applicant has proposed a mixed-use project with both commercial and residential land uses. Given the size of the property (15,750 s.f.) the maximum number of units with mixed use density is seven units. While the MU Overlay does not prescribe a specific ratio of commercial to residential, this is primarily a residential project. The underlying land use designation of CS is for intensified commercial development, with the objective of redeveloping this area of town from residential to commercial uses. The intent of the MU Overlay is to encourage a mix of uses that will result in a more pedestrian oriented, lively area of town. There is concern that the intent and spirit of the land use designation (CS M-U) would not be met with the mix of uses proposed with this project.

The design of the project has evolved through several iterations so that the proposed project is of a much higher quality of architecture and materials than was originally proposed. However, staff and the DRC expressed concerns that the building form for a mixed use (largely residential) development is not as “livable” in terms of usable open space and massive building design. The applicant has noted that this is a challenging site, being somewhat linear. However, the proposed density is also limiting development options as evidenced by the need for parking reductions. The proposed project would be an improvement compared to existing surrounding development, however, it appears to fall short of the long term vision of the area.

Additionally, there are remaining concerns that the common open space, which is accessed off the alley at the rear area of the site, does not have adequate human surveillance with either building entrances, main living area windows, patios or other features that would face out onto the area, that would build in added safety for users of the open space. The DRC determined that the project should be moved forward to the full Planning Commission for consideration.

**Options:** After opening the public hearing and taking public testimony, the Planning Commission is requested to take one of the actions listed below:

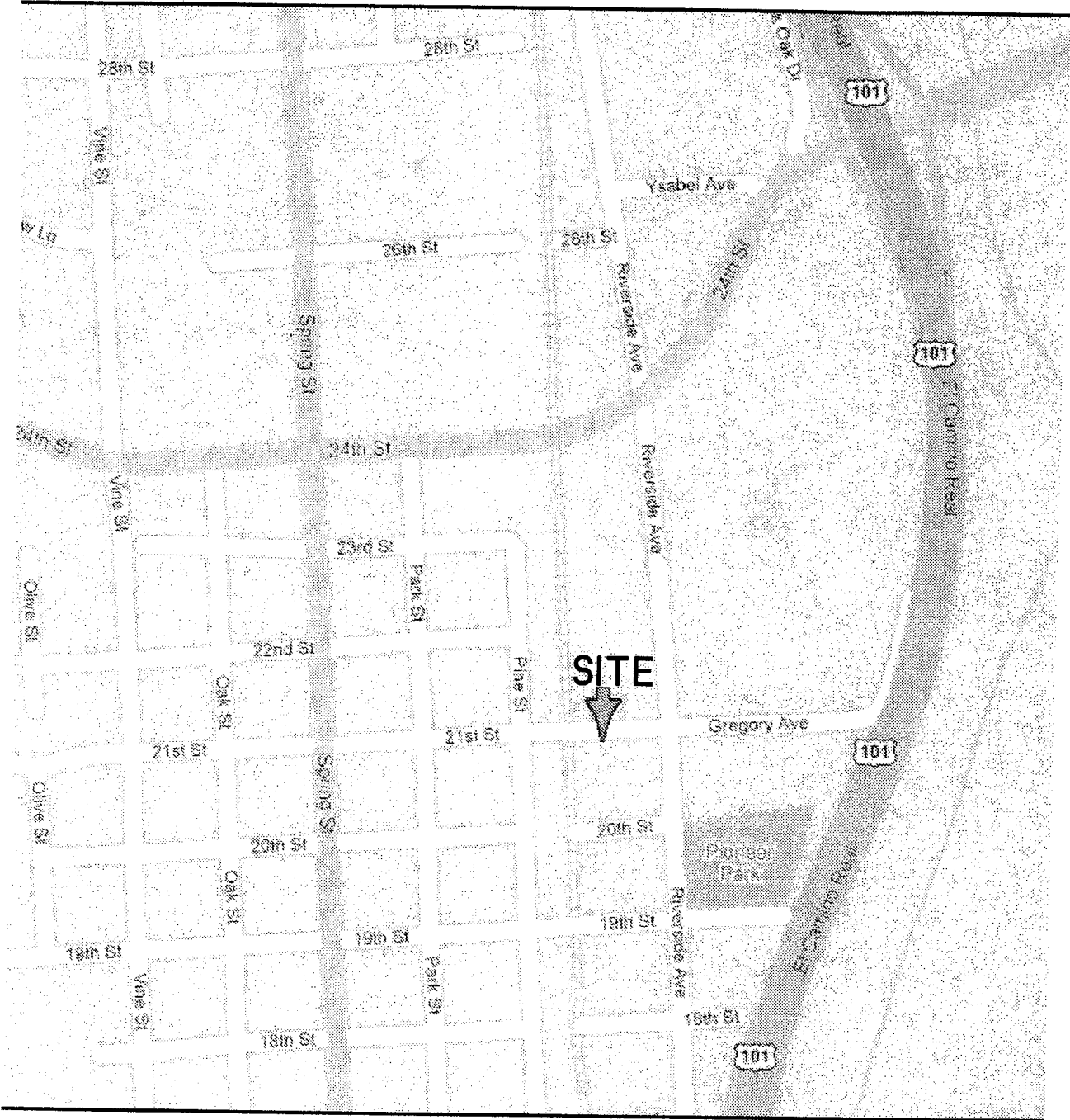
- a. Deny the rezone and/or Planned Development 06-015, and Negative Declaration, as being inconsistent with the intent of the City's Mixed-Use Regulations.
- b. By separate motions: 1) recommend approval of the Negative Declaration; 2) recommend approval of Rezone 06-003; and 3) recommend approval of Planned Development 06-015.
- c. Amend, modify, or reject the above-listed action.
- d. Request additional information and analysis.

**Staff Report Prepared By:** Susan DeCarli

**Attachments:**

1. Vicinity Map
2. Site Plan
3. Elevations and Landscape Plans
4. Arborist Report
5. Initial Study
6. Resolution to Deny Rezone 06-003 and PD 06-015
7. Resolution to Recommend Approval of the Negative Declaration
8. Ordinance for Rezone 06-003
9. Memorandum from City Engineer
10. Resolution to Recommend Approval of Planned Development 06-015
11. Newspaper and Mail Notice Affidavits

# VICINITY MAP



**A & T ARBOR**  
P.O. BOX 1311 TEMPLETON, CA 93465

**Tree Preservation Plan  
For  
1028 21<sup>st</sup> Street Mixed Use  
Paso Robles, CA**

Paso Robles

SEP 06 2006

**6-1-06**

Planning Division

**Prepared by A & T Arborists  
and Vegetation Management**

Chip Tamagni  
Certified Arborist #WE 6436-A



Steven Alvarez  
Certified Arborist #WE 511-A

Tract # \_\_\_\_\_

PD # \_\_\_\_\_

Building Permit # \_\_\_\_\_

Project Description: This project involves the construction of a mixed use development located on a vacant lot at 1028 21<sup>st</sup> Street in Paso Robles, CA. In the south west corner of the lot are two oak trees. One is a valley oak (*Quercus lobata*) and the other is a blue oak (*Quercus douglasii*). The impacts will be primarily limited to tree #2, the blue oak. There is a planned parking lot in approximately 45% of the critical root zone. The valley oak tree is further back in the corner of the lot and the impacts will be limited to picnic bench installation and landscape.

Specific Mitigations Pertaining to the Project: The grading will be minimal near tree #2 for the parking lot. Preferably, pavers will be used and placed on the natural grade. Excavation shall be limited to six inches deep within the critical root zone. Paver detail is explained in the standard mitigations below. There landscape planned within the critical root zone of both trees. Lawns are not acceptable in this area. Preferably drought tolerant species with chip mulch in between would be ideal. Tree #2 will need some minor canopy raising and dead stub removal. This work shall be performed by a trained arborist.

The term “critical root zone” or CRZ is an imaginary circle around each tree. The radius of this circle (in feet) is equal to the diameter (in inches) of the tree. For example, a 10 inch diameter tree has a critical root zone with a ten foot radius from the tree. Working within the CRZ usually requires mitigations and/or monitoring by a certified arborist.

All trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees are numbered on the grading plans and in the field with an aluminum tag. Tree protection fencing is shown on the grading plan. In the field oak trees to be saved have yellow tape and trees to be removed have red tape attached to the tag (none for this project). Both critical root zones and drip lines are outlined on the plans.

### Tree Rating System

A rating system of 1-10 was used for visually establishing the general health and condition of each tree on the spreadsheet. The rating system is defined as follows:

<u>Rating</u>	<u>Condition</u>
0	Deceased
1	Evidence of massive past failures, extreme disease and is in severe decline.
2	May be saved with attention to class 4 pruning, insect/pest eradication and future monitoring.
3	Some past failures, some pests or structural defects that may be mitigated by class IV pruning.
4	May have had minor past failures, excessive deadwood or minor structural defects that can be mitigated with pruning.



- 5 Relatively healthy tree with little visual, structural and/or pest defects and problems.
- 6 Healthy tree that probably can be left in its natural state.
- 7-9 Has had proper arboricultural pruning and attention or have no apparent structural defects.
- 10 Specimen tree with perfect shape, structure and foliage in a protected setting (i.e. park, arboretum).

Aesthetic quality on the spreadsheet is defined as follows:

- **poor** - tree has little visual quality either due to severe suppression from other trees, past pruning practices, location or sparse foliage
- **fair** - visual quality has been jeopardized by utility pruning/obstructions or partial suppression and overall symmetry is average
- **good** - tree has good structure and symmetry either naturally or from prior pruning events and is located in an area that benefits from the trees position
- **excellent** - tree has great structure, symmetry and foliage and is located in a premier location. Tree is not over mature.

The following mitigation measures/methods must be fully understood and followed by anyone working within the critical root zone of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

1. It is the responsibility of the **owner or project manager** to provide a copy of this tree protection plan to any and all contractors and subcontractors that work within the critical root zone of any native tree and confirm they are trained in maintaining fencing, protecting root zones and conforming to all tree protection goals. It is highly recommended that each contractor sign and acknowledge this tree protection plan.
2. Any future changes (within the critical root zone) in the project will need Project Arborist review and implementation of potential mitigation measures before any said changes can proceed.
3. **Fencing:** The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked (with t posts 8 feet on center) at the edge of the critical root zone or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. Weather proof signs shall be permanently posted on the fences every 50 feet, with the following information:

**Tree Protection Zone**

No personnel, equipment, materials, and vehicles are allowed

Do not remove or re-position this fence without calling:

A & T Arborists  
434-0131

- 4. Soil Aeration Methods:** Soils within the critical root zone that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18" deep, 2-3' apart with a 2-4" auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.
- 5. Grading Within The Critical Root Zone:** Grading should not encroach within the critical root zone unless authorized. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.
- 6. Paving Within The Critical Root Zone:** Pervious surfacing is preferred within the critical root zone of any native tree. If pavers are required, the areas are outlined on the grading plans. Pavers must be interlocking with a minimum of 10% void space backfilled with pea gravel. Geo textile fabric shall be permeable.
- 7. Equipment Operation:** Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless pre-approved by the arborist.
- 8. Existing Surfaces:** The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted or pared, unless shown on the grading plans **and** approved by the arborist.
- 9. Construction Materials And Waste:** No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials either.
- 10. Arborist Monitoring:** An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not necessarily have to be continuous but observational at times during these activities. It is the responsibility of the **owner(s) or their designee** to inform us prior to these events so we can make arrangements to be present. All monitoring will be documented on the field report form which will be forwarded to the project manager and the City of Paso Robles Planning Department.
- pre-construction fence placement inspection
  - all grading for the parking area

TREE PROTECTION SPREAD SHEET

1	2	3	4	5	6	7	8	9	10	11	12	13	14
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW
1	VO	<i>Q. lobata</i>	24	5	A	0%			NO		good		14ne
2	BO	<i>Q. doug.</i>	20	4	I	45%	FILL	pavers	YES	II	good		23ne
3													
4													
5													
6													
7													
8													
9													
10													
11													
12													
13													
14													
15													
16													
17													
18													
19													
20													

- 1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH
- 2 = TREE TYPE: COMMON NAME IE. W.O.= WHITE OAK
- 3= SCIENTIFIC NAME
- 4 = TRUNK DIAMETER @ 46"
- 5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT
- 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL
- 7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE
- 8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING
- 9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
- 10 = ARBORIST MONITORING REQUIRED: YES/NO
- 11 = PERSCRIBED PRUNING: CLASS 1-4
- 12 = AESTHETIC VALUE
- 12 = FIELD NOTES
- 13= NORTH SOUTH/ EAST WEST CANOPY SPREAD

OWNER STEPHEN RUSSELL KING, AIA 18051 227-BAY PARK STREET PASO ROBLES, CA 93448 (805) 746-8143 (805) 974-9111 CELL	INDEX AN
OWNER SUNDANCE ENTERPRISES, INC. 170 FLETON, CA 93465 P.O. BOX 308	PMENT

**PARKING CALCULATIONS**

COMMERCIAL COMPONENT
1 SPACE PER 100 SF
240,567 / 100 = 2,406 SPACES REQ'D
COMMERCIAL SUBTOTAL = 2,406 SPACES
RESIDENTIAL COMPONENT
2 SPACES PER LIVING UNIT
14 UNITS = 28 SPACES
PLUS 80% VISITORS = 22 SPACES
RESIDENTIAL SUBTOTAL = 50 SPACES
REDUCTION FOR SHARED USE = 2 SPACES
1/3 OF COMMERCIAL PORTION (802692)
TOTAL PROVIDED = 18 SPACES
INCLUDING ONE VAN-ACCESSIBLE

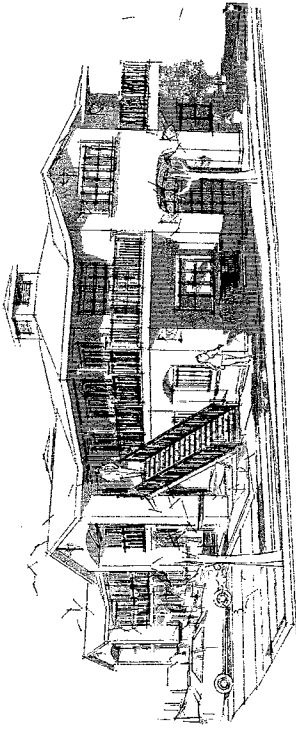
**SHEET INDEX**

ARCHITECTURAL
T-0 TITLE SHEET, PERSPECTIVE VIEW
T-1 PLOT PLAN / CONCEPTUAL GRADING
A-1 SECOND FLOOR PLAN
A-2 ROOF PLAN
A-3 EXTERIOR ELEVATIONS
A-4 INTERIOR ELEVATIONS
A-5-2 DETAILS
LANDSCAPE
L-1 LANDSCAPE PLAN
L-2 IRRIGATION PLAN
L-3 INSTALLATION DETAILS

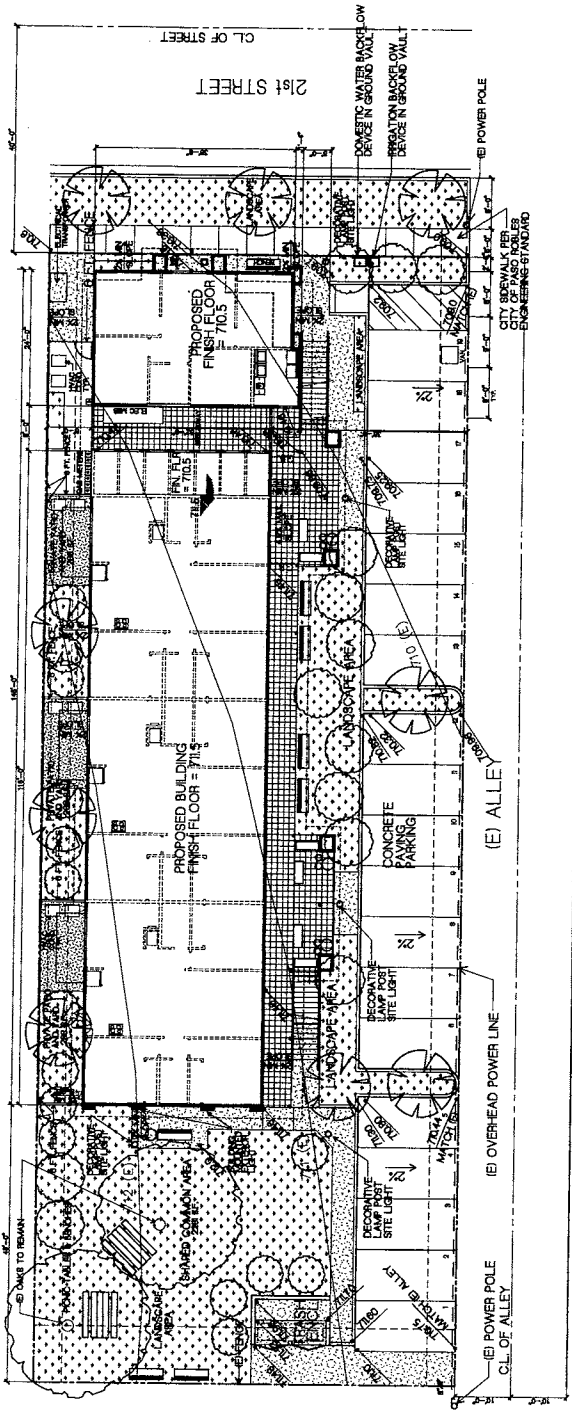
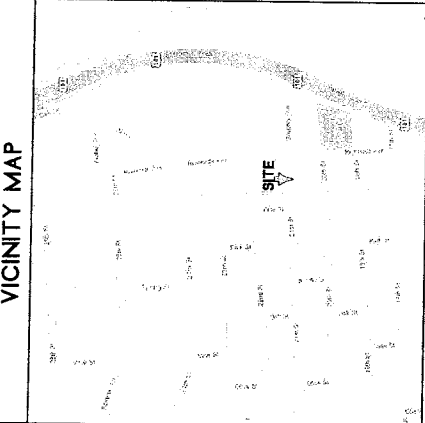
**MIXED USE DEVELOPMENT**  
1028 21st STREET  
PASO ROBLES, CA  
APN 008-247-003

FOR

**SUNDANCE ENTERPRISES, INC.**



PERSPECTIVE VIEW FROM NORTHEAST



PLOT PLAN / CONCEPTUAL GRADING PLAN

SCALE 1" = 10'

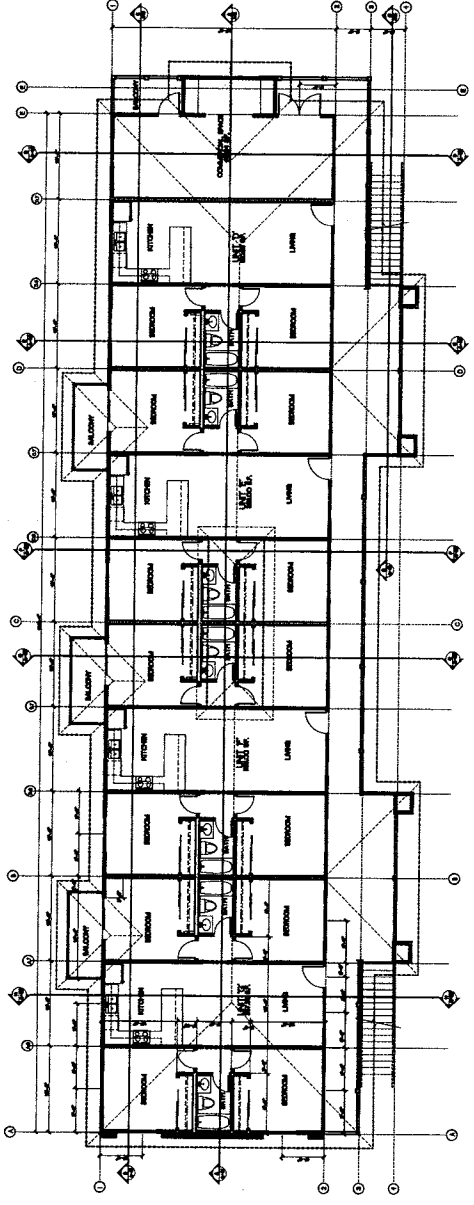


REVISIONS	

STEPHEN RUSSELL KING, AIA  
 1821 PARK STREET, SUITE A, PASO ROBLES, CA 92446  
 (805) 227-8417 / (415) 874-8101 (CELL)  
 OWNER  
 SUNDANCE ENTERPRISES, INC.  
 P.O. BOX 366  
 TEMPLETON, CA 92465

21st STREET MIXED USE DEVELOPMENT  
 PASO ROBLES, CA  
 FIRST FLOOR PLAN  
 SECOND FLOOR PLAN

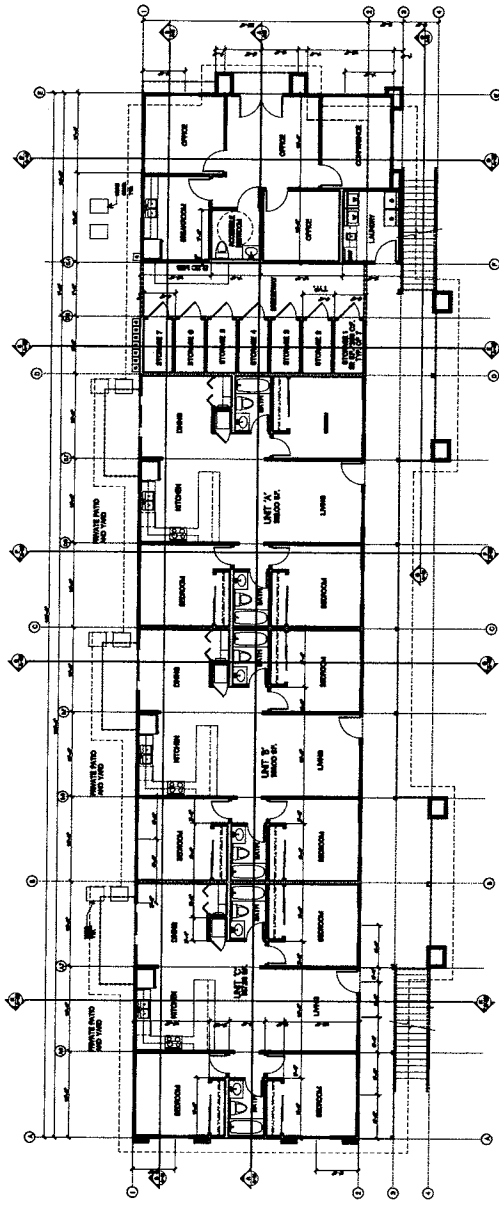
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**A-1**



**SECOND FLOOR PLAN**

SCALE 1/8"=1'-0"

SECOND FLOOR AREA SUMMARY	
RESIDENTIAL COMPONENT	
UNIT D1: 870.88 SF.	
UNIT E1: 152.00 SF.	
UNIT F1: 152.00 SF.	
UNIT G1: 152.00 SF.	
UNIT H1: 152.00 SF.	
RESIDENTIAL PORTION SUBTOTAL:	4267.88 SF.
COMMERCIAL COMPONENT	
COMMERCIAL SERVICES OFFICE	418.94 SF.
TOTAL SECOND FLOOR AREA:	4686.73 SF.



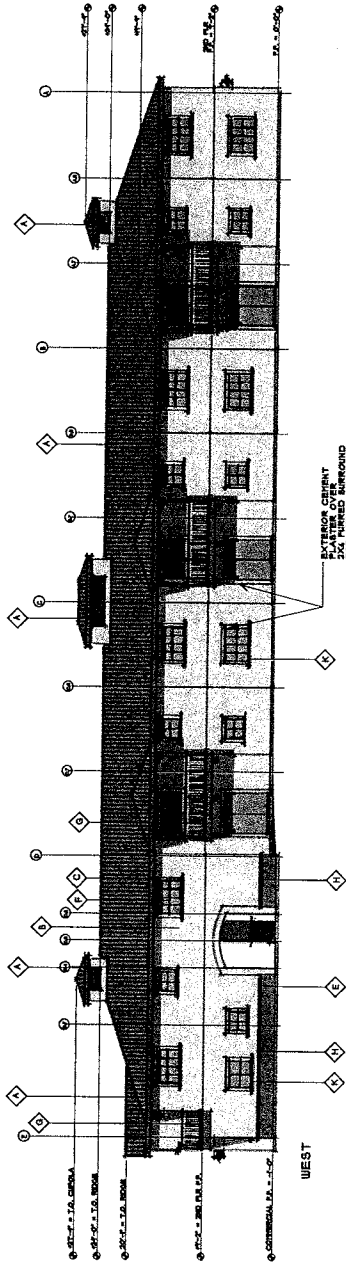
**FIRST FLOOR PLAN**

SCALE 1/8"=1'-0"

FIRST FLOOR AREA SUMMARY	
RESIDENTIAL COMPONENT	
UNIT A1: 152.00 SF.	
UNIT B1: 152.00 SF.	
UNIT C1: 152.00 SF.	
UNIT D1: 152.00 SF.	
UNIT E1: 152.00 SF.	
UNIT F1: 152.00 SF.	
UNIT G1: 152.00 SF.	
UNIT H1: 152.00 SF.	
UNIT I1: 152.00 SF.	
UNIT J1: 152.00 SF.	
UNIT K1: 152.00 SF.	
UNIT L1: 152.00 SF.	
UNIT M1: 152.00 SF.	
UNIT N1: 152.00 SF.	
UNIT O1: 152.00 SF.	
UNIT P1: 152.00 SF.	
UNIT Q1: 152.00 SF.	
UNIT R1: 152.00 SF.	
UNIT S1: 152.00 SF.	
UNIT T1: 152.00 SF.	
UNIT U1: 152.00 SF.	
UNIT V1: 152.00 SF.	
UNIT W1: 152.00 SF.	
UNIT X1: 152.00 SF.	
UNIT Y1: 152.00 SF.	
UNIT Z1: 152.00 SF.	
RESIDENTIAL PORTION SUBTOTAL:	3,063.89 SF.
COMMERCIAL COMPONENT	
COMMERCIAL SERVICES OFFICE	77.00 SF.
TOTAL GROUND FLOOR AREA:	4,522.89 SF.

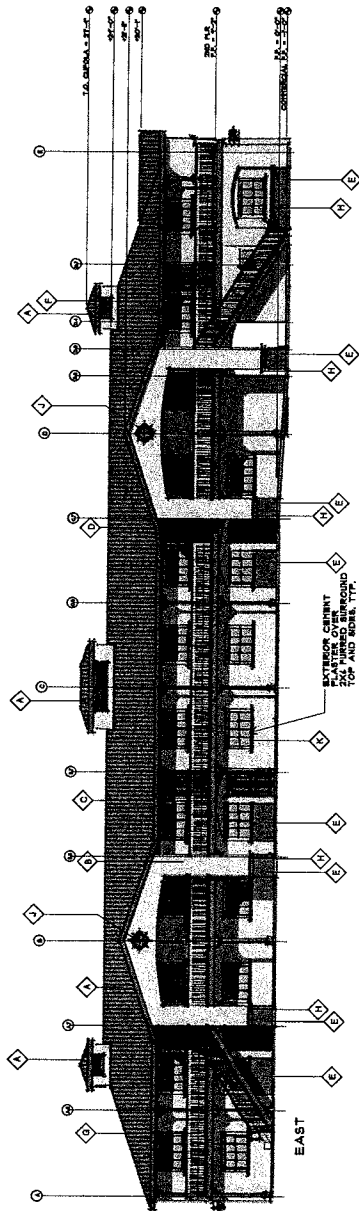
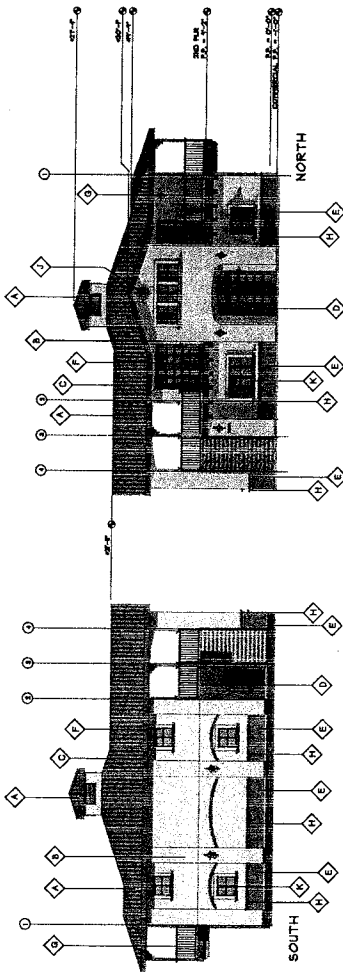
# Attachment 3 Elevations

OWNER SUNDANCE ENTERPRISES, INC. P.O. BOX 388 TEMPLETON, CA 92465	
ARCHITECT STEPHEN RUSSELL KING, AIA 1521 PARK STREET, SUITE A PASO ROBLES, CA 92448 (805) 227-8417 (PH FAX) (805) 874-8101 (CELL)	
REVISIONS	



**COLOR AND MATERIALS LEGEND**

- 1. Light Beige Lightweight Concrete Block, 8" Thick
- 2. 7/8" Exterior Concrete Plaster
- 3. Flathead Color Benjamin Moore AC-4
- 4. Flathead Color Benjamin Moore AC-4
- 5. Flathead Color Benjamin Moore AC-4
- 6. Flathead Color Benjamin Moore AC-4
- 7. The Whitewash, 1/2" x 1/2" size
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- 94. Flathead Color Benjamin Moore AC-4
- 95. Flathead Color Benjamin Moore AC-4
- 96. Flathead Color Benjamin Moore AC-4
- 97. Flathead Color Benjamin Moore AC-4
- 98. Flathead Color Benjamin Moore AC-4
- 99. Flathead Color Benjamin Moore AC-4
- 100. Flathead Color Benjamin Moore AC-4



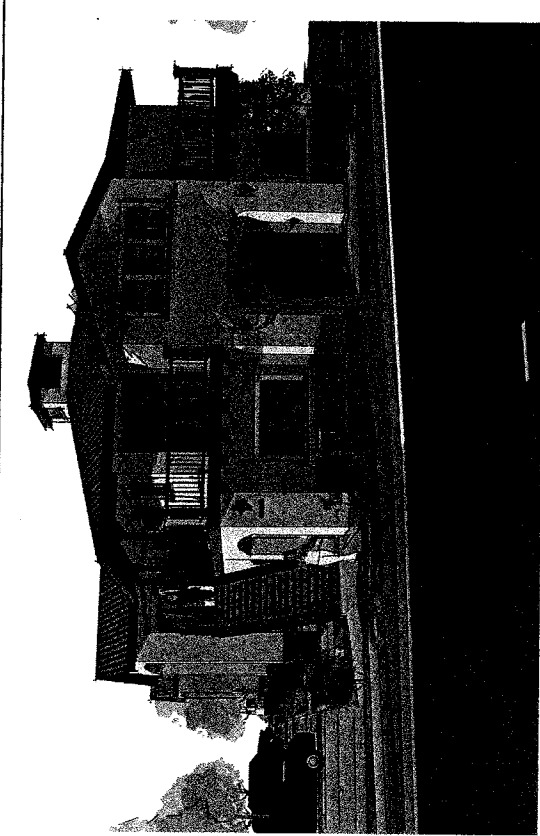
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REVISIONS	BY

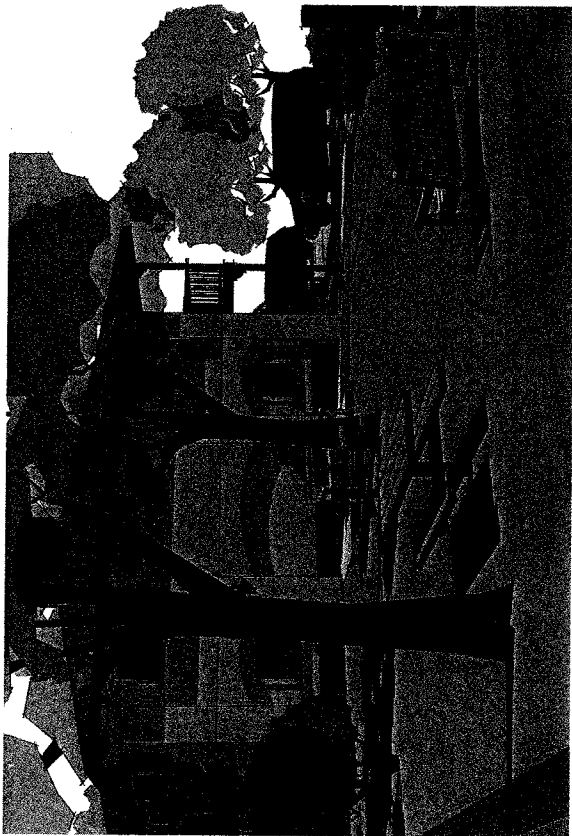
STEPHEN RUSSELL KING, AIA  
 1501 PARK STREET, SUITE A, PASO ROBLES, CA 93446  
 (805) 227-8417 (PH & FAX) (805) 674-6101 (CELL)  
 OWNER:  
 SUNDANCE ENTERPRISES, INC.  
 P.O. BOX 366  
 TEMPLETON, CA 93465

21st STREET MIXED USE DEVELOPMENT  
 PASO ROBLES, CA  
 PERSPECTIVE VIEWS

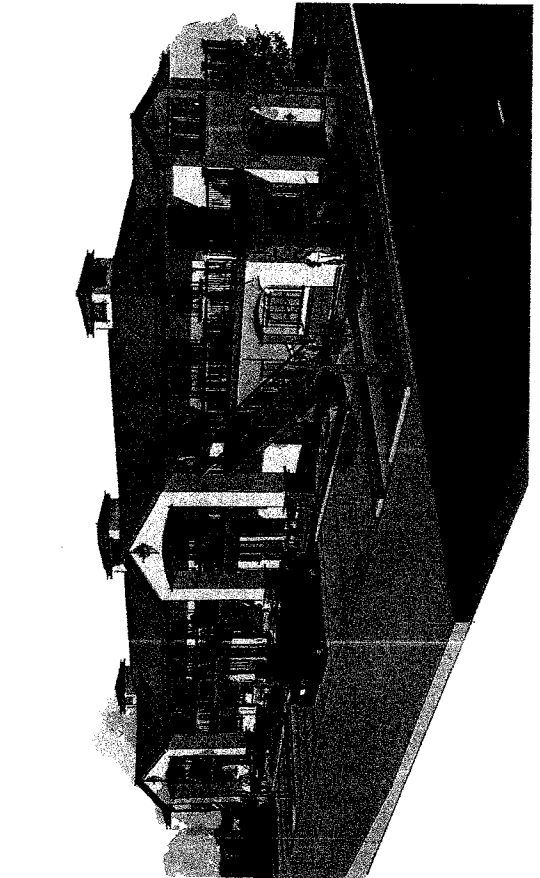
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 DATE: 05-05-2007  
 SCALE: NO SCALE  
 FILE NAME: 0025.A4 - PERSP  
 SHEET  
**A-4**



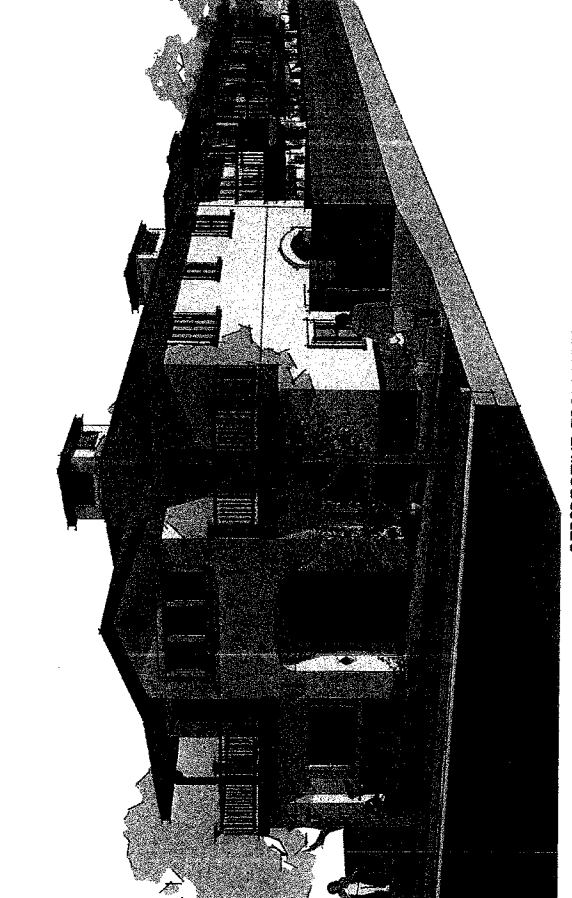
PERSPECTIVE FROM NORTH



PERSPECTIVE FROM SOUTHWEST

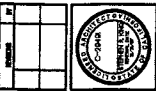


PERSPECTIVE FROM NORTHEAST



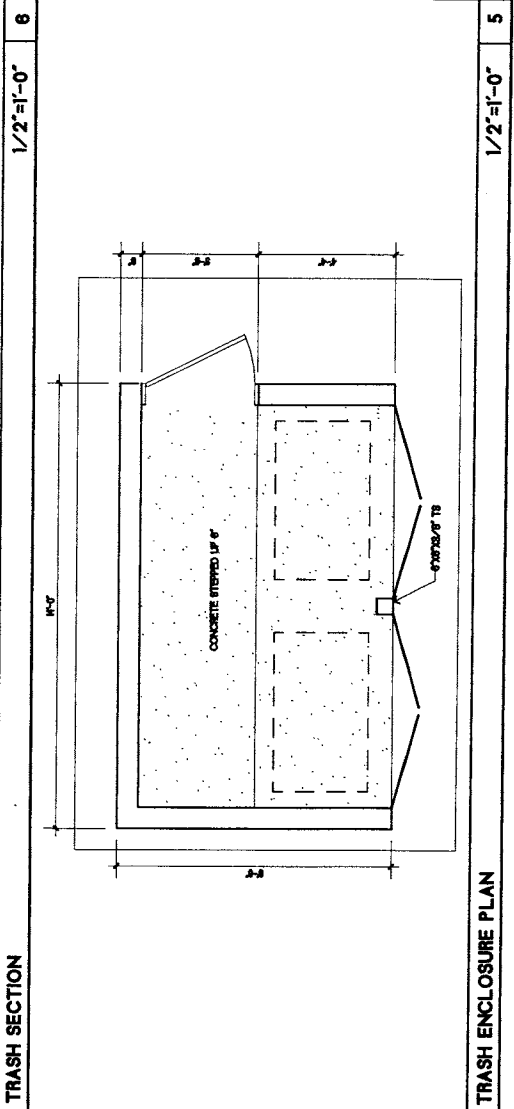
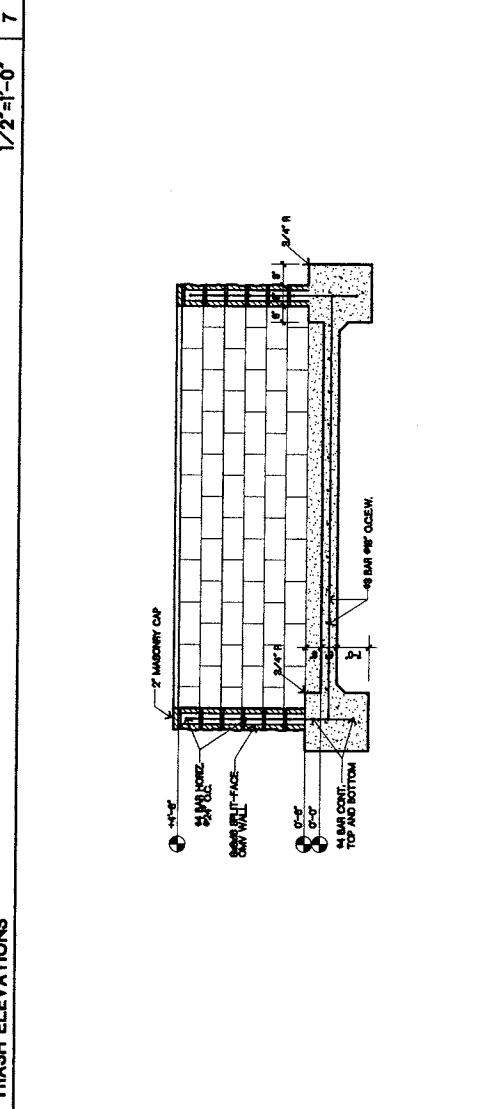
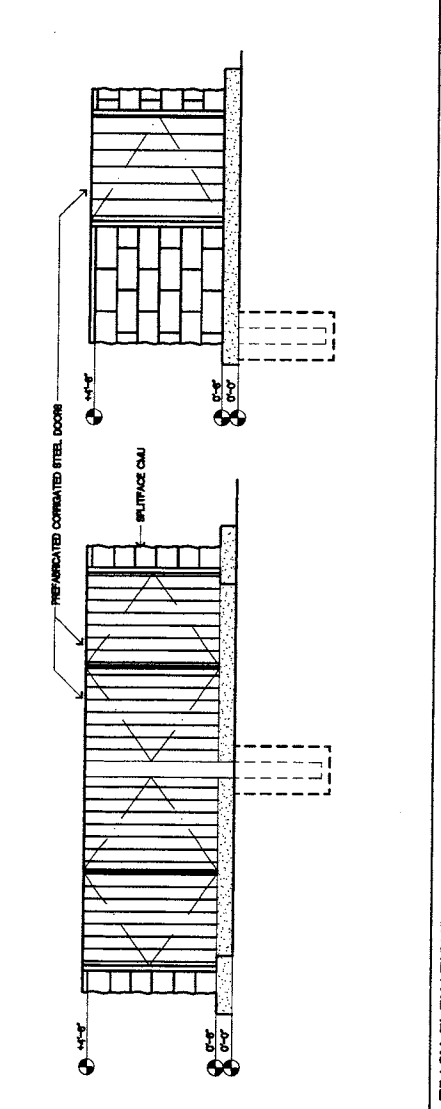
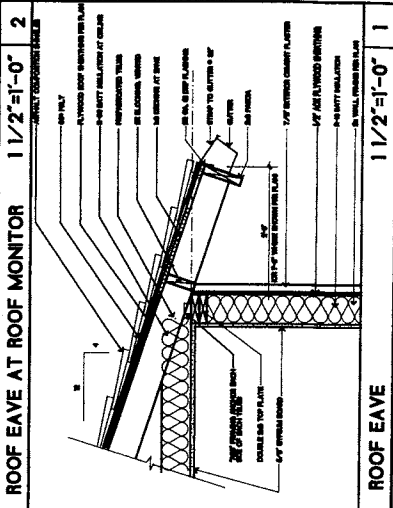
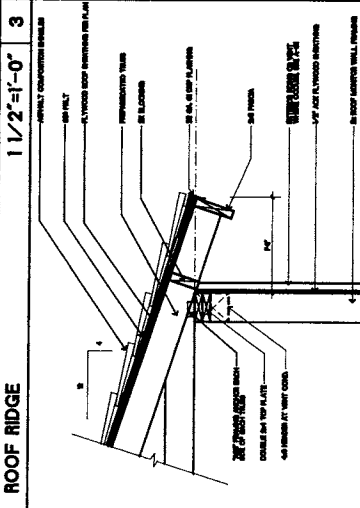
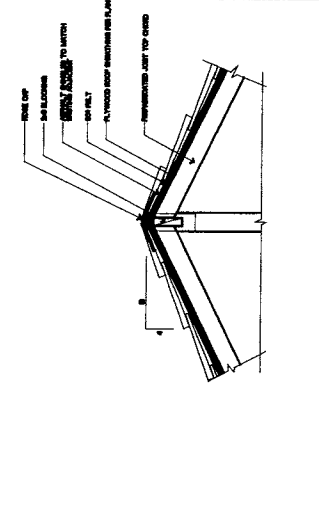
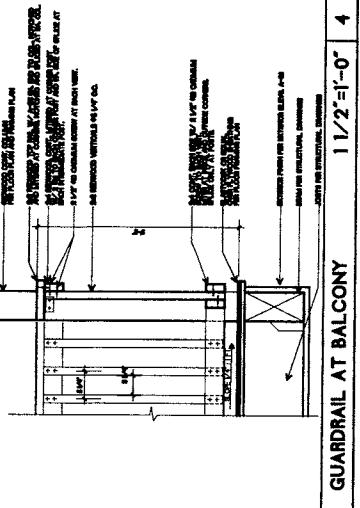
PERSPECTIVE FROM NORTHWEST

**PERSPECTIVE VIEWS**



STEPHEN RUSSELL KING, AIA  
 120 PARK STREET, SUITE A, PASO ROBLES, CA 93246  
 805 227-5474 PH 874-0019 FX 874-0011 FAX  
 SUNDANCE ENTERPRISES, INC  
 15000 N. 10TH AVE., SUITE 100  
 TULSA, OKLA. 74128

21st STREET MIXED USE DEVELOPMENT  
 PASO ROBLES, CA  
 SHEET: A-51  
 DATE: 1/10/2008  
 TITLE: DETAILS  
 DRAWN BY: [Redacted]  
 CHECKED BY: [Redacted]







# CITY OF PASO ROBLES – PLANNING DIVISION INITIAL STUDY

## 1. GENERAL PROJECT INFORMATION

**PROJECT TITLE:** Sundance - Rezone 06-003 and Planned Development 06-015

**LEAD AGENCY:** City of Paso Robles - 1000 Spring Street, Paso Robles, CA 93446

**Contact:** Susan DeCarli, AICP, City Planner  
**Telephone:** (805) 237-3970

**PROJECT LOCATION:** 1028 21<sup>st</sup> Street  
(APN 008-247-003)

**PROJECT PROPONENT:** Applicant: Sundance Enterprises (Bob Clouston)  
P.O. Box 366, Templeton, CA

**LEAD AGENCY CONTACT/  
INITIAL STUDY PREPARED BY:** Susan DeCarli, AICP, City Planner

**Telephone:** (805) 237-3970  
**Facsimile:** (805) 237-3904  
**E-Mail:** sdecarli@prcity.com

**GENERAL PLAN DESIGNATION:** Commercial Service Mixed-Use Overlay (CS-MU)

**ZONING:** Apartment (R3)

## 2. PROJECT DESCRIPTION

The proposed project is a request to rezone property currently zoned R3 to be consistent with the General Plan Designation of CS-MU. The project also includes a request for a Planned Development (PD) for a mixed-use development. The mixed-use project includes 7 residences and 1240 s.f. of commercial space. The property is adjacent to an alley which provides access to the 19 parking spaces provided. The property is surrounded by a single family residence to the west, multi-family and a church to the east and multi-family to the south. A commercial parking lot is located across 21<sup>st</sup> Street to the north.

## 3. OTHER AGENCIES WHOSE APPROVAL MAY BE REQUIRED (For example, issuance of permits, financing approval, or participation agreement):

None.

## 4. EARLIER ENVIRONMENTAL ANALYSIS AND RELATED ENVIRONMENTAL DOCUMENTATION:

This Initial Study incorporates by reference the City of El Paso de Robles General Plan Environmental Impact Report (EIR) (SCH#2003011123).

## **5. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR THE PROJECT:**

This Initial Study relies on expert opinion supported by the facts, technical studies, and technical appendices of the City of El Paso de Robles General Plan EIR. These documents are incorporated herein by reference. They provide substantial evidence to document the basis upon which the City has arrived at its environmental determination regarding various resources.

## **6. PURPOSES OF AN INITIAL STUDY**

The purposes of an Initial Study for a Development Project Application are:

- A. To provide the City with sufficient information and analysis to use as the basis for deciding whether to prepare an Environmental Impact Report, a Mitigated Negative Declaration, or a Negative Declaration for a site specific development project proposal;
- B. To enable the Applicant of a site specific development project proposal or the City as the lead agency to modify a project, mitigating adverse impacts before an Environmental Impact Report is required to be prepared, thereby enabling the proposed Project to qualify for issuance of a Negative Declaration or a Mitigated Negative Declaration;
- C. To facilitate environmental assessment early in the design of a project;
- D. To eliminate unnecessary EIRs;
- E. To explain the reasons for determining that potentially significant effects would not be significant;
- F. To determine if a previously prepared EIR could be used for the project;
- G. To assist in the preparation of an Environmental Impact Report if one is required; and
- H. To provide documentation of the factual basis for the finding of no significant effect as set forth in a Negative Declaration or a Mitigated Negative Declaration prepared for the a project.

## **7. EXPLANATION OF ANSWERS FOUND ON THE ENVIRONMENTAL CHECKLIST FORM**

### **A. Scope of Environmental Review**

This Initial Study evaluates potential impacts identified in the following checklist.

### **B. Evaluation of Environmental Impacts**

1. A brief explanation is required for all answers to the questions presented on the following Environmental Checklist Form, except where the answer is that the proposed project will have “No Impact.” The “No Impact” answers are to be adequately supported by the information sources cited in the parentheses following each question or as otherwise explained in the introductory remarks. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A “No Impact” answer should be explained where it is based on project-specific factors and/or general standards. The basis for the “No Impact” answers on the following Environmental Checklist Form is explained in further detail in this Initial Study in Section 9 (Earlier Environmental Analysis and Related Environmental Documentation) and Section 10 (Context of Environmental Analysis for the Project).
2. All answers on the following Environmental Checklist Form must take into account the whole action involved with the project, including implementation. 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. “Potentially Significant Impact” is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more “Potentially Significant Impact” entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. “Potentially Significant Impact Unless Mitigated” 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 Section 9 (Earlier Environmental Analysis and Related Environmental Documentation) 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). See Section 4 (Earlier Environmental Analysis and Related Environmental Documentation) and Section 11 (Earlier Analysis and Background Materials) of this Initial Study.
6. References to the information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the Environmental Checklist Form. See Section 11 (Earlier Analysis and Related Environmental Documentation). Other sources used or individuals contacted are cited where appropriate.
7. The following Environmental Checklist Form generally is the same as the one contained in Title 14, California Code of Regulations; with some modifications to reflect the City’s needs and requirements.
8. Standard Conditions of Approval: The City imposes standard conditions of approval on Projects. These conditions are considered to be components of and/or modifications to the Project and some reduce or minimize environmental impacts to a level of insignificance. Because they are considered part of the Project, they have not been identified as mitigation measures. For the readers’ information, the standard conditions identified in this Initial Study are available for review at the Community Development Department.
9. Certification Statement: The statements made in this Initial Study and those made in the documents referenced herein present the data and information that are required to satisfy the provisions of the California Environmental Quality Act (CEQA) – Statutes and Guidelines, as well as the City’s Procedures for Implementing CEQA. Further, the facts, statements, information, and analysis presented are true and correct in accordance with standard business practices of qualified professionals with expertise in the development review process, including building, planning, and engineering.

**8. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The proposed project may potentially affect the environmental factors checked below, and may involve at least one impact that is a “Potentially Significant Impact” or is “Potentially Significant Unless Mitigated,” if so indicated on the following Environmental Checklist Form (Pages 8 to.15)

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Land Use & Planning                | <input type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services             |
| <input type="checkbox"/> Population & Housing               | <input type="checkbox"/> Biological Resources       | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Geological Problems                | <input type="checkbox"/> Energy & Mineral Resources | <input type="checkbox"/> Aesthetics                  |
| <input type="checkbox"/> Water                              | <input type="checkbox"/> Hazards                    | <input type="checkbox"/> Cultural Resources          |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Noise                      | <input type="checkbox"/> Recreation                  |
| <input type="checkbox"/> Mandatory Findings of Significance |   |  |

**9. ENVIRONMENTAL DETERMINATION:** On the basis of this initial evaluation: I find that:

The proposed project could not have a significant effect on the environment; and, therefore, a **NEGATIVE DECLARATION** will be prepared.

Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. Therefore, a **MITIGATED NEGATIVE DECLARATION** will be prepared.

The proposed project may have a significant effect on the environment; and, therefore an **ENVIRONMENTAL IMPACT REPORT** is required.

The proposed project may have a significant effect(s) on the environment, but one or more effects (1) have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) have been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or is “potentially significant unless mitigated.”

Therefore, an **ENVIRONMENTAL IMPACT REPORT** is required, but it will analyze only the effect or effects that remain to be addressed.

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Date:

February 7, 2007

\_\_\_\_\_  
Susan DeCarli, AICP, City Planner

# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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## I. LAND USE AND PLANNING. Would the Proposal:

- a) Conflict with general plan designation or zoning? (Sources: 1 & 8)

*Discussion: The proposed amendment would provide consistency between the General Plan land use designation and zoning district that applies to this property. The proposed mixed-use project would be consistent with the zoning (if approved) and General Plan designation.*

- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? (Sources: 1 & 3)

*Discussion: The proposed project complies with the EIR recently certified for the City General Plan Update, 2003.*

- c) Be incompatible with existing land uses in the vicinity? (Sources: 1 & 3)

*Discussion: The rezone and planned development would be compatible with surrounding land uses and would provide a transition between the mix of non-residential and residential uses in the area.*

- d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible uses)?

*Discussion: This is an urban infill property that does not have agricultural resources or operations on it or in the near vicinity. Thus, this project could not affect agricultural resources.*

- e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (Sources: 1 & 3)

*Discussion: The property is currently vacant. The project will not disrupt or divide the arrangement of land uses in the community.*

## II. POPULATION AND HOUSING. Would the proposal:

- a) Cumulatively exceed official regional or local population projections? (Sources: 1 & 3)

*Discussion: This project and applicable density established in the General Plan are consistent with the General Plan build out capacity, and will not result in exceeding population projections.*

- b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? (Sources: 1 & 3)

*Discussion: As a small scale residential and commercial project, this project will not induce substantial growth.*

# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- c) Displace existing housing, especially affordable housing? (Sources: 1, 3, & 5)

*Discussion: This project will not displace existing housing since it is a vacant site.*

## III. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:

- a) Fault rupture? (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 this valley. The Rinconada Fault system runs on the west side of the valley. The San Andreas Fault is on the east side of the valley and runs through the community of Parkfield east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the Uniform Building Code 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 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. In addition, per requirements of the Alquist-Priolo Earthquake Fault Zones, only structures for human habitation need to be setback a minimum of 50 feet of a known active trace fault. The proposed structures are not intended for human habitation.*

- b) Seismic ground shaking? (Sources: 1, 2, & 3)

*Discussion: The City is located within an active earthquake area that could experience seismic ground shaking from the Rinconada and San Andreas Faults. The proposed structure will be constructed to current UBC codes. The General Plan EIR identified impacts resulting from ground shaking as less than significant and provided mitigation measures that will be incorporated into the design of this project including adequate structural design and not constructing over active or potentially active faults.*

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

*Discussion: See a. & b.*

- d) Seiche, tsunami, or volcanic hazard? (Sources: 1, 2, & 3)

*Discussion: There are no water or volcanic hazards that could affect this property, thus potential impacts are less than significant.*

- e) Landslides or Mudflows? (Sources: 1, 2, & 3)

*Discussion: There are no landslide or mudflow hazards that could affect this property, thus potential impacts are less than significant.*

# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: 1, 2, 3, & 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: There are no erosion or soil conditions that could affect this property, thus potential impacts are less than significant.</i>				
g) Subsidence of the land? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: Refer to a. above.</i>				
h) Expansive soils? (Sources: 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: Refer to a. above.</i>				
i) Unique geologic or physical features? (Sources:1 & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: Refer to a. above.</i>				

## IV. WATER. Would the proposal result in:

a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Sources:1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Discussion: On-site surface runoff will be directed to landscape areas to the extent possible, with drainage from the parking area flowing to the alley and storm drain system. This project would likely result in less than significant changes in absorption rates, and will not change drainage patterns.</i>				
b) Exposure of people or property to water related hazards such as flooding? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: There are no water related hazards or flood zones within the project vicinity. Therefore, no impact to exposure of people or property to water related hazards will result from this project.</i>				
c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: This project will not result in discharge into surface waters or alter water quality, therefore impacts from this project on surface waters will be less than significant.</i>				
d) Changes in the amount of surface water in any water body? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: No impact</i>				



## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Changes in currents, or the course or direction of water movement? (Sources: 1, 3, & 7)  <i>Discussion: Refer to d. above.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? (Sources: 1,3, & 7)  <i>Discussion: Refer to d. above.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Altered direction or rate of flow of groundwater? (Sources: 1, 3, & 7)  <i>Discussion: Refer to d. above.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impacts to groundwater quality? (Sources: 1, 3, & 7)  <i>Discussion: Refer to d. above.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? (Sources: 1, 3, & 7)  <i>Discussion: Refer to d. above.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### V. AIR QUALITY. Would the proposal:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Sources: 1, 3, & 7)<br><br><i>Discussion: As an infill, mixed-use project that will provide housing for local workforce labor, this project will likely help reduce air quality impacts.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Expose sensitive receptors to pollutants? (Sources: 1, 3, & 7)<br><br><i>Discussion: There are no sensitive receptors in the vicinity of the project site.</i>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Alter air movement, moisture, or temperature? (Sources: 1, 3, & 7)<br><br><i>Discussion: Refer to a. above.</i>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

- |                                |                          |                          |                          |                                     |
|--------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Create objectionable odors? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: Refer to a. above.*

## VI. TRANSPORTATION/CIRCULATION. Would the proposal result in:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Increased vehicle trips or traffic congestion? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

*Discussion: The proposed mixed-use project is calculated to result in 87 average daily trips (which are spread over a 24 hour period), nine PM peak hour trips, and 10 AM peak hour trips. (ITE Manual, 6<sup>th</sup> ed.) Given the available capacity and existing level of service on the surrounding streets (21<sup>st</sup> and Riverside) which are LOS A, this project could not significantly impact the existing LOS by adding the average daily and peak hour trips generated from this project to the surrounding streets.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: Given the location of the project site and proposed land uses, this project will not result in hazardous design features or incompatible uses.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Inadequate emergency access or inadequate access to nearby uses? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: The project has adequate access for emergency services on 21<sup>st</sup> Street.*

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Insufficient parking capacity on-site or off-site? (Sources: 1, 3, 7, & 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

*Discussion: Per City Zoning Code Parking Standards, the total parking demand for this project is 21 parking spaces. The applicant has proposed 19 spaces, with the request for a Joint Use Parking Reduction agreement to be granted by the Planning Commission. A parking reduction may be granted where two uses would require parking at different times of the day. A mixed use development is suitable for approval of a Joint Use parking reduction since parking demands for the residences and commercial uses would occur at different times of the day. Parking impacts that may result from this project would be less than significant.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Hazards or barriers for pedestrians or bicyclists? (Source: 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: Refer to a. above.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Sources: 1 & 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

*Discussion: This project would not conflict with alternative transportation policies.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Rail, waterborne or air traffic impacts? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: No impact.*

**BIOLOGICAL RESOURCES.** Would the proposal result in impacts to:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| Endangered, threatened or rare species or their habitats (including but not limited to: plants, fish, insects, animals, and birds)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: There are no endangered, threatened or rare species or their habitats on the project. Therefore, this project could not impact these resources.*

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Locally designated species (e.g., heritage trees)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

*Discussion: There are two oak trees located toward the rear of the project site. An Arborist Report was prepared for this project to assess the existing condition of the trees and potential impacts that may result from this project, and to project recommendations on appropriate tree protection measures. The trees are proposed to be protected and incorporated into the open space area on the site. The arborist report includes oak tree protection measures to be applied with this project to reduce potential impacts to the oak trees to a less than significant level.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: No impact.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Wetland habitat (e.g., marsh, riparian and vernal pool)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: No impact.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Wildlife dispersal or migration corridors? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: No impact.*

**VIII. ENERGY AND MINERAL RESOURCES.** Would the proposal:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with adopted energy conservation plans? (Sources: 1 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: This project could not affect or conflict with energy conservation plans.*

- b) Use non-renewable resources in a wasteful and inefficient

## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

manner? (Sources: 1 & 7)





*Discussion: The project will not use non-renewable resource in a wasteful and inefficient manner.*

- c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? (Sources: 1 & 7)





*Discussion: The project is not located in an area of a known mineral resources that would be of future value to the region and the residents of the State.*

### IX. HAZARDS. Would the proposal involve:

- a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?





*Discussion: As a residential and small scale commercial use, the proposed project will not likely result in risk of explosion or other hazardous substances.*

- b) Possible interference with an emergency response plan or emergency evacuation plan? (Sources: 1 & 7)





*Discussion: Refer to item a.*

- c) The creation of any health hazard or potential hazards?





*Discussion: Refer to item a.*

- d) Increased fire hazard in areas with flammable brush, grass, or trees?





*Discussion: Refer to item a.*

### X. NOISE. Would the proposal result in:

- a) Increases in existing noise levels? (Sources: 1, 7, & 8)





*Discussion: This project will not likely increase potential noise levels since office and residential uses are not generally significant noise producing uses.*

- b) Exposure of people to severe noise levels? (Source: 3)





*The proposed project would not result in exposure of people to severe noise levels. See item a.*

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**XI. PUBLIC SERVICES.** Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fire protection? (Sources: 1, 3, 6, & 7)                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police Protection? (Sources: 1, 3, & 7)                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools? (Sources: 1, 3, & 7)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Maintenance of public facilities, including roads?<br>(Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other governmental services? (Sources: 1,3, & 7)                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*Discussion: a.-e. The project applicant will be required to pay development impact fees as established by the city per AB 1600 to mitigate impacts to public services if development is proposed in the future.*

**XII. UTILITIES AND SERVICE SYSTEMS.** Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Power or natural gas? (Sources: 1, 3, & 7)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Communication systems? (Sources: 1, 3, & 7)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Local or regional water treatment or distribution facilities?<br>(Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Sewer or septic tanks? (Sources: 1, 3, 7, & 8)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Storm water drainage? (Sources: 1, 3, & 7)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Solid waste disposal? (Sources: 1, 3, & 7)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Local or regional water supplies? (Sources: 1, 3, & 7)                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*Discussion: a.-g. The project will not result in the need for new systems or supplies, or result in substantial alterations to utilities and service systems.*

**XIII. AESTHETICS.** Would the proposal:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Affect a scenic vista or scenic highway? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: This project is not within or near a scenic vista or highway and could not affect these resources.*

## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

- b) Have a demonstrable negative aesthetic effect? (Sources: 1, 3, & 7)

*Discussion: This project will likely result in beneficial impacts to aesthetics by upgrading the quality of development in the vicinity..*

- c) Create light or glare? (Sources: 1, 3, 7, & 8)

*Discussion: This project will not increase potential light or glare.*

### XIV. CULTURAL RESOURCES. Would the proposal:

- a) Disturb paleontological resources? (Sources: 1, 3, & 7)

*Discussion: There are no known paleontological or other cultural resources on site and the project does not proposed new development; therefore these resources could not be impacted.*

- b) Disturb archaeological resources? (Sources: 1, 3, & 7)

*Discussion: Refer to item a.*

- c) Affect historical resources? (Sources: 1, 3, & 7)

*Discussion: The existing home at 405 14th Street is proposed to be renovated to upgrade the existing historical architecture which will be a benefit to historical resources.*

- d) Have the potential to cause a physical change which would affect unique ethnic cultural values? (Sources: 1, 3, & 7)

*Discussion: Refer to item a.*

- e) Restrict existing religious or sacred uses within the potential impact area? (Sources: 1, 3, & 7)

*Discussion: Refer to item a.*

### XV. RECREATION. Would the proposal:

- a) Increase the demand for neighborhood or regional parks or other recreational facilities? (Sources: 1, 3, & 7)

*Discussion: This project does not include development thus it could not result in impacts related to recreation resources.*

- b) Affect existing recreational opportunities? (Sources 1, 3, & 7)

*Discussion: The project will not affect existing recreational opportunities.*

# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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## XVI.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? (Sources: 1 & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion:* This project does not include development and it could not result in impacts that would 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 history or prehistory.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals? (Sources: 1 & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion:* This project will not result in significant environmental impacts and therefore will not result in short term or long term environmental goals.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) 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.) (Sources: 1 & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion:* This project will not result in cumulative environmental impacts.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1 & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion:* This project does not have the potential to result in substantial adverse effects on human beings either directly or indirectly.

## 11. 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). The earlier documents that have been used in this Initial Study are listed below.

Reference Number	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	Seismic Safety Element for City of Paso Robles	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
3	Final Environmental Impact Report City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
4	Soil Survey of San Luis Obispo County, California Paso Robles Area	USDA-NRCS, 65 Main Street-Suite 108 Templeton, CA 93465
5	Uniform Building Code	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
6	City of Paso Robles Standard Conditions of Approval For New Development	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
7	City of Paso Robles Zoning Code	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
8	City of Paso Robles, Water Master Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
9	City of Paso Robles, Sewer Master Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
10	Federal Emergency Management Agency Flood Insurance Rate Map	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446

### Attachments:

- A – Site Plan
- B – Elevations
- C – Arborist Report



**RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF PASO ROBLES  
DENYING REZONE 06-003 AND PLANNED DEVELOPMENT 06-015  
1028 21<sup>ST</sup> STREET, APPLICANT – SUNDANCE ENTERPRISES**

**WHEREAS**, Rezone 06-003, Planned Development 06-015 has been filed by Sundance Enterprises; and

**WHEREAS**, Rezone 06-003 is a request to rezone property from Apartment (R-3) to Commercial Service Mixed-Use Overlay (CS-MU), and Planned Development 06-015 is a proposal to construct a mixed-use project with seven apartments and 1,240 s.f. of commercial space; and

**WHEREAS**, the project does not comply with the intent of the Mixed-Use zone since it is a proposal to construct a project that is predominantly residential (85 percent) and has an underlying designation of Commercial Service; and

**WHEREAS**, the project is designed with a building form that does not meet the City's expectations for the "livability" and safety for the common outdoor area due to the location of the common outdoor area at the rear of the site which may result in safety problems; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on February 27, 2007 and on March 13, 2007 on this project to accept public testimony on the Rezone, Planned Development and environmental determination; and

**WHEREAS**, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

**WHEREAS**, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed commercial project will not result in significant environmental impacts and it is appropriate for the Planning Commission to adopt a Negative Declaration, which is included in a separate resolution; and

**WHEREAS**, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received the Planning Commission makes the following findings:

1. The project is not consistent with the intent of the Commercial Service Mixed-Use Zoning District since the proposed project is predominantly residential; and
2. The proposed development plan may be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, since the rear open space area does not have adequate visibility from the proposed homes or frontage of the property; and
3. The proposed development plan does not adequately address architectural expectations for the community since the overall building form is similar to the building form and site layout of a motel.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of El Paso de Robles does hereby deny Rezone 06-003 and Planned Development 06-015.

PASSED AND ADOPTED THIS 13th day of March, 2007 by the following Roll Call Vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
CHAIRMAN MARGARET HOLSTINE

ATTEST:

\_\_\_\_\_  
RON WHISENAND, PLANNING COMMISSION SECRETARY

Deleted: ¶  
i/kmargason/planned  
developments/PD01-019/PD01-019 April  
Reso

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES  
AMENDING TITLE 21, ZONING, OF THE MUNICIPAL CODE  
REZONING PROPERTY TO HIGHWAY COMMERCIAL MIXED-USE (C2-MU)  
FOR PROPERTY LOCATED AT 1028 21<sup>ST</sup> STREET, APN 008-247-003  
APPLICANT – SUNDANCE ENTERPRISES  
ZONING MAP AMENDMENT 06-003

WHEREAS, the current Zoning of property at 1028 21st Street is R3 (Apartment); and

WHEREAS, the General Plan land use designation of this property is CS M-U (Commercial Service Mixed-Use), and this Zoning Map Amendment will provide consistency between the Zoning Map and Land Use Map in the General Plan, as shown in Exhibit A; and

WHEREAS, this Zoning Map Amendment will allow mixed use development of this property, with a maximum residential density of 20 dwelling units per acre; and

WHEREAS, at its meeting of February 27, 2007 and on March 13, 2007, the Planning Commission took the following actions regarding this ordinance:

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

WHEREAS, based on consideration of information received at its meeting of April 3, 2007, the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Considered the Commission's recommendation from the Planning Commission's February 27, 2007 and on March 13, 2007 public meeting;
- d. Introduced said ordinance for the first reading; and

WHEREAS, on April 17, 2007, the City Council held second reading of said ordinance.

NOW, THEREFORE, the City Council of the City of El Paso de Robles does hereby ordain as follows:

SECTION 1. The zoning map amendment is hereby established on the official Zoning Map as shown in Exhibit A.

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

Introduced at a regular meeting of the City Council held on April 3, 2007, and passed and adopted by the City Council of the City of El Paso de Robles on the 3rd day of April, 2007, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

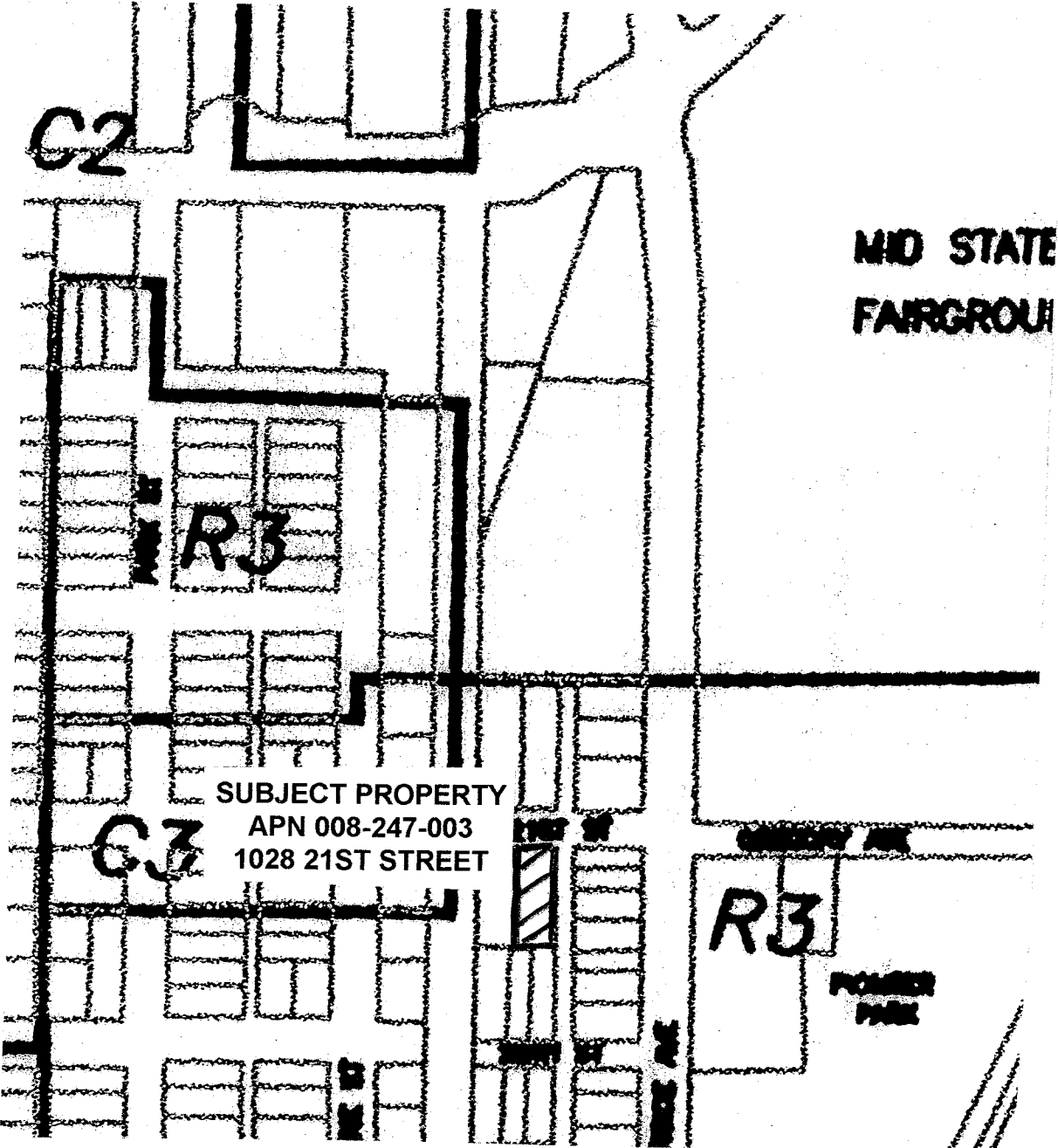
Frank R. Mecham, Mayor

ATTEST:

---

Deborah Robinson, Deputy City Clerk

Exhibit A  
Zoning Map



**RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF PASO ROBLES  
RECOMMENDING TO THE CITY COUNCIL  
APPROVAL OF PLANNED DEVELOPMENT 06-015  
1028 21<sup>ST</sup> STREET, APN 008-247-003  
APPLICANT – SUNDANCE ENTERPRISES**

**WHEREAS**, Planned Development 06-015 has been filed by Sundance Enterprises; and

**WHEREAS**, Planned Development 06-015 is a proposal to construct a mixed-use project with seven apartments and 1,240 s.f. of commercial space; and

**WHEREAS**, the proposed development project is consistent with the City's Mixed-Use Ordinance; and

**WHEREAS**, per Section 21.22.130 of the City Zoning Ordinance, with approval of a Joint Use Parking Agreement to share the use of two parking spaces between daytime and evening land uses, the proposed project complies with the applicable zoning standards; and

**WHEREAS**, the project complies with the CS M-U (Commercial Service Mixed-Use) General Plan land use designation and the C2 M-U (Highway Commercial Mixed-Use) zoning district, and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on February 27, 2007 and on March 13, 2007 on this project to accept public testimony on the Planned Development application PD 06-015 and associated environmental review; and

**WHEREAS**, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

**WHEREAS**, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed commercial project will not result in significant environmental impacts and it is appropriate for the Planning Commission to adopt a Negative Declaration, which is included in a separate resolution; and

**WHEREAS**, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

1. The project is consistent with the adopted codes, policies, standards and plans of 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; 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; and the public right-of-way; and
4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts; and

5. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc.; and
6. The proposed development plan contributes to the orderly development of the City as a whole.
7. The proposed project implements the intent of the 2006 Economic Strategy by providing a quality development project that will attract economic development and employment opportunities in the City.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 06-015, subject to the following conditions:

**STANDARD CONDITIONS:**

1. This project shall comply with the checked standard Conditions of Approval, attached hereto as Exhibit “A” and incorporated herein by reference.

**SITE SPECIFIC CONDITIONS:**

NOTE: In the event of conflict or duplication between standard and site-specific conditions, the site-specific condition shall supersede the standard condition.

2. The 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:

<b>EXHIBIT</b>	<b>DESCRIPTION</b>
A	Standard Conditions of Approval
B	Site Plan and Exterior Elevations

3. This PD 06-015 allows for development of a mixed-use development project, including seven apartments and 1,240 s.f. of commercial space.
4. The project shall be designed and constructed to be in substantial conformance with the site plan and elevations approved with this resolution including the superior quality Mediterranean style architectural details as shown of project perspective board elevations.
5. A constructive notice shall be recorded with the property deed restricting the apartment units to not be subdivided into condominiums in the future, to maintain these residences as rental units.
5. This PD 06-015 is valid for a period of two (2) years from approval. Unless permits have been issued and site work has begun, the approval of PD 06-015 shall expire on March 13, 2009. The Planning Commission may extend this expiration date for an additional three (3) years if a time extension application has been filed with the City along with the fees before the expiration date.
6. Prior to issuance of certificates of use and occupancy, the property-owner or authorized agent is required to pay the City’s Development Impact Fees.
7. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
8. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.

9. 10. All existing and new overhead utilities shall be placed underground, except as otherwise exempted by City codes.
11. Temporary construction noise levels in excess of 60 decibels shall be restricted to the daylight hours of 7am to 6pm. Noise levels shall be measured or monitored from site boundaries or the nearest adjoining residential use to determine compliance.
12. The project shall be in compliance the following recommendations of the San Luis Obispo County Air Pollution Control District so as to minimize creation of fugitive dust and other emission resulting from use of construction equipment as follows:

**CONSTRUCTION PHASE MITIGATION:**

**Dust Control Measures**

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. Due to this project's proximity to neighboring commercial uses the APCD conditions this project to comply with all applicable air quality regulations pertaining to the control of fugitive dust (PM10) as contained in section 6.5 of the Air Quality Handbook. **All site grading and demolition plans noted shall list the following regulations:**

- 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 (nonpotable) water should be used whenever possible.
- c. All dirt stock pile areas should be sprayed daily as needed.
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating native grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

All PM10 mitigation measures required should be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. **The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and finished grading of the area.**

**Naturally Occurring Asbestos**

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air



Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed.** If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Karen Brooks of our Enforcement Division at 781-5912.

#### Permits

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Portable equipment used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or a District permit. Operational sources, such as back up generators, may also require APCD permits. **To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

13. Use and operation of the project and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).
14. Prior to grading permit, the applicant shall provide plans for the treatment of storm water leaving the site.
15. Parkway landscaping in accordance with plans approved by the Planning and Streets Divisions shall be completed prior to occupancy of the building.
16. The applicant shall take the steps necessary to annex to or form a City Community Facilities District (CFD) in order to provide funding for City services for each new parcel or dwelling unit in the proposed development. The agreement to form or annex to a CFD shall be in a manner to be approved by the City Attorney. Participation in a City CFD for services is intended to fully mitigate the incremental impact of new residential development on City services.

In order to insure that there is adequate and consistent funding to provide for City services in a manner reflective of adopted General Plan standards, it is necessary to provide a "fall back" funding mechanism in case, for any reason, it is not possible to annex to or form a CFD that would fully mitigate the incremental fiscal impacts on City services. A fall back funding mechanism is also needed if a CFD is formed and for whatever reason the CFD is invalidated or otherwise is incapable of meeting its intended purpose of fully mitigating the impacts of new residential development on City services.

In order to insure that there is an alternative form of fiscal mitigation, prior to final approval of any project creating additional residential lots or dwelling units, the property owner shall agree, in a manner subject to approval by the City Attorney, to provide for alternative means of fiscal mitigation. The alternative means of fiscal mitigation could include, but would not be limited to, equivalent services being provided by a Homeowners Association, a perpetual endowment to cover the incremental costs of City services (including a CPI adjustment), a City road maintenance assessment district, or a combination of such tools to insure full fiscal mitigation of impacts to City services.

16. Tree protection measures recommended by the project arborist shall be implemented to protect the two oak trees in the rear area of the property.
17. Decorative street and outdoor landscape furniture shall be installed as shown on project elevations, including benches and tables.

18. Enhanced site hardscape materials shall be installed for all site walkways, which may include but not be limited to stamped, colored concrete, interlocking pavers or other similar materials.
19. The trash enclosure for this project shall be designed to be architecturally compatible with the Mediterranean style of the primary structure.
20. The rear common open space shall have evening light fixtures installed that are compatible with the Mediterranean style of architecture of the primary structure. Light fixtures shall be downcast and shielded in compliance with the City's lighting standards, and shall remain on from dusk until dawn to provide added safety to the open space area.

Engineering Conditions:

21. Prior to occupancy, the applicant shall construct curb, gutter and sidewalk on 21<sup>st</sup> Street in accordance with City West Side Standard A-12 adjacent to the frontage of the project. All improvements shall be in accordance with plans approved by the City Engineer and parkway landscape plans approved by the Planning Division.
22. Prior to occupancy, the applicant shall relocate the utility pole in the existing alley approach and improve the alley, and approach, in accordance with City standards A-17, B-6 and plans approved by the City Engineer.
23. Prior to combustible construction, the applicant shall extend an 8-inch water main from Riverside Avenue and place a fire hydrant at the west boundary of the project.
24. Prior to occupancy, the applicant shall enter into an agreement to participate in the relocation of all overhead utilities in the block underground.

Emergency Services Conditions:

23. Provide fire sprinkler systems for residential, commercial, and industrial buildings.
25. Prior to the start of construction, documentation shall be submitted to Emergency Services showing that required fire flows can be provided to meet all project demands.
26. A directory or annunciator panel shall be installed at all vehicle entrance areas indicating building locations and numbers.

PASSED AND ADOPTED THIS 13th day of March, 2007 by the following Roll Call Vote:

AYES:  
 NOES:  
 ABSENT:  
 ABSTAIN:

\_\_\_\_\_  
 CHAIRMAN MARGARET HOLSTINE

ATTEST:

\_\_\_\_\_  
 RON WHISENAND, PLANNING COMMISSION SECRETARY

**EXHIBIT A OF RESOLUTION**

**CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS  
FOR PLANNED DEVELOPMENTS / CONDITIONAL USE PERMITS**

PROJECT #: PD 06-015

APPROVING BODY: PLANNING COMMISSION

DATE OF APPROVAL: MARCH 13, 2007

APPLICANT: SUNDANCE

LOCATION: 1028 21<sup>ST</sup> STREET

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:**

- 1. This project approval shall expire on March 13, 2009 (See Planned Development Approval Resolution) unless a time extension request is filed with the Community Development Department 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. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- 4. Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the

(Adopted by Planning Commission Resolution 94-038)

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. This project is subject to the California Environmental Quality Act (CEQA) which requires the applicant submit a \$25.00 filing fee for the Notice of Determination payable to "County of San Luis Obispo". The fee should be submitted to the Community Development Department within 24 hours of project approval which is then forwarded to the San Luis Obispo County Clerk. Please note that the project may be subject to court challenge unless the required fee is paid.
- 6. 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.
- 7. 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.
- 8. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
- 9. All trash enclosures shall be constructed of decorative masonry block compatible with the main buildings. Gates shall be view obscuring and constructed of durable materials such as painted metal or chain link with plastic slatting.
- 10. 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.
- 11. 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.
- 12. 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.

(Adopted by Planning Commission Resolution 94-038)

- 13. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 14. 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.
- 15. The following areas shall be placed in the Landscape and Lighting District:

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The developer shall install all improvements and landscape areas. City acceptance on behalf of the Landscape and Lighting District shall be subject to the approval of the Public Works Street Department (237-3864).

- 16. All parking lot landscape planters shall have a minimum outside dimension of six feet and shall be separated from parking and driving areas by a six inch high solid concrete curb.
- 17. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

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- 18. 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.

**B. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**

- 1. 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.

- 2. 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: See PD 00-023 Resolution for specific DRC review requirements.
- 3. The applicant shall meet with the City's Crime Prevention Officer prior to the issuance of building permits for recommendations on security measures to be incorporated into the design of the structures to be constructed. The applicant is encouraged to contact the Police Department at (805) 237-6464 prior to plan check submittal.

**C. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OCCUPANCY:**

- 1. Occupancy of the facility shall not commence until such time as all Uniform Building Code and Uniform Fire Code regulations have been complied with. Prior to occupancy, plans shall be submitted to the Paso Robles Fire Department and the Building Division to show compliance. The building shall be inspected by the appropriate department prior to occupancy.
- 2. All public or private manufactured slopes located adjacent to public right-of-ways on property in excess of six (6) feet in vertical height and of 2.5:1 or greater slope shall be irrigated and landscaped for erosion control and to soften their appearance as follows: one 15-gallon tree per each 250 square feet of slope area, one 1-gallon or larger size shrub per each 100 square feet of slope area, and appropriate ground cover. Trees and shrubs shall be staggered in clusters to soften and vary the slope plane. Slope planting shall include a permanent irrigation system be installed by the developer prior to occupancy. In lieu of the above planting ratio, the applicant may submit a slope planting plan by a licensed landscape architect or contractor providing adequate landscaping, erosion control and slope retention measures; the slope planting plan is subject to approval by the Development Review Committee. Hydroseeding may be considered on lots of 20,000 square feet or greater.

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(Adopted by Planning Commission Resolution 94-038)

**PUBLIC WORKS DEPARTMENT - The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:**

APPLICANT: SUNDANCE PREPARED BY: JF

REPRESENTATIVE: \_\_\_\_\_ CHECKED BY:

PROJECT: PD 06-015 TO PLANNING:

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

**D. PRIOR TO ANY PLAN CHECK:**

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

**E. 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. The proposed structures and grading shall not encroach into the 100-year floodway as specified in Municipal Code Chapter 21.14 "Flood Damage Prevention Regulations".
3. 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 removal.
4. A complete grading and drainage plan prepared by a registered civil engineer shall be included with the improvement plans. Drainage calculations shall be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer.

(Adopted by Planning Commission Resolution 94-038)

- 5. A Preliminary Soils and/or Geology Report shall be prepared by a registered engineer for the property to determine the presence of expansive soils or other soils problems and shall make recommendations regarding grading of the proposed site.

**F. PRIOR TO ANY SITE WORK:**

- 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, together with the improvement plans. The composite utility plan shall also be signed by the Water, Fire, Wastewater, and Street Division heads.
- 3. Any grading anticipated during the rainy season (October 15 to April 15) will require the approval of a Construction Zone Drainage and Erosion Control Plan to prevent damage to adjacent property. Appropriateness of areas shall be subject to City Engineer approval.
- 4. Any construction within an existing street shall require a Traffic Control Plan. The plan shall include any necessary detours, flagging, signing, or road closures requested. Said plan shall be prepared and signed by a registered civil or traffic engineer.
- 5. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require a signature of approval by the Department of Public Works, Street Superintendent and the Community Development Department.
- 6. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:

<u>21st Street</u>	<u>Westside</u>	<u>A-12</u>
Street Name	City Standard	Standard Drawing No.

- 7. 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;

(Adopted by Planning Commission Resolution 94-038)



- b. Water Line Easement;
- c. Sewer Facilities Easement;
- d. Landscape Easement;
- e. Storm Drain Easement.

**G. PRIOR TO ISSUANCE OF A BUILDING PERMIT:**

- 1. A final soils report shall be submitted to the City prior to the final inspection and shall certify that all grading was inspected and approved, and that all work has been done in accordance with the plans, preliminary report, and Chapter 70 of the Uniform Building Code.
- 2. The applicants civil and soils engineer shall submit a certification that the rough grading work has been completed in substantial conformance to the approved plans and permit.
- 3. When retaining walls are shown on the grading plan, said walls shall be completed before approval of the rough grade, and prior to issuance of any building permits, unless waived by the Building Official and the City Engineer.
- 4. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.
- 5. Building permits shall not be issued until the water system has been completed and approved, and a based access road installed sufficient to support the City's fire trucks per Fire Department recommendation.
- 6. 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 and open space landscaping;
  - c. Wall maintenance in conjunction with landscaping;
  - d. Graffiti abatement;
  - e. Maintenance of open space areas.
- 7. Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map (FIRM) - in zones A1-A30, AE, AO, AH, A, V1-V30, VE and V - the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.
- 8. Prior to the issuance of a Building Permit for a building within Flood Insurance Rate

(Adopted by Planning Commission Resolution 94-038)

Map (FIRM) in zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide a Flood Proofing Certificate in accordance with the National Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State California.

**H. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:**

- 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services and any outstanding annexation fees.
- 2. No buildings shall be occupied until all public improvements are completed and approved by the City Engineer, and accepted by the City Council.
- 3. All final property corners and street monuments shall be installed before acceptance of the public improvements.
- 4. All top soil removed shall be stockpiled and evenly distributed over the slopes and lots upon completion of rough grading to support hydroseeding and landscaping. All slope areas shall be protected against erosion by hydroseeding or landscaping.
- 5. The applicant shall install all street names, traffic signs and traffic striping as directed by the City Engineer.
- 6. If the adjoining existing City street is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall remove the entire roadway and replace it with a minimum full half-width street plus a 12' wide travel lane and 8' wide graded shoulder adequate to provide for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).
- 7. If the development includes a phased street construction along the project boundary for future completion by the adjacent property owner, the applicant shall provide a minimum half-width street plus a 12' wide travel lane and 4' wide graded shoulder adequate for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).
- 8. When the project fronts on an existing street, the applicant shall pave-out from the proposed curb to the edge of pavement if the existing pavement section is adequate, and shall feather the new paving out to the centerline for a smooth transition. If the existing pavement is inadequate, the roadway shall be replaced to centerline and the remaining pavement shall be overlaid. (A finding of "rough proportionality" has been made in the resolution for this condition).
- 9. Any utility trenching in existing streets shall be overlaid to restore a smooth riding

(Adopted by Planning Commission Resolution 94-038)

surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City streets.

- 10. The applicant shall install all utilities (sewer, water, gas, electricity, cable TV and telephone) underground (as shown on the composite utility plan). 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. All underground construction shall be completed and approved by the public utility companies, and the subgrade shall be scarified and compacted, before paving the streets.
- 11. Prior to paving any street the water and sewer systems shall successfully pass a pressure test. The sewer system shall also be tested by a means of a mandrel and video inspection with a copy of the video tape provided to the City. No paving shall occur until the City has reviewed and viewed the sewer video tape and has determined that the sewerline is acceptable. Any repair costs to the pipeline including trench paving restoration shall be at the developer's expense.
- 12. A blackline clear Mylar (0.4 MIL) copy and a blueline print of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. A reduced copy (i.e. 1" = 100') of the composite utility plan shall be provided to update the City's Atlas Map.
- 13. 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.

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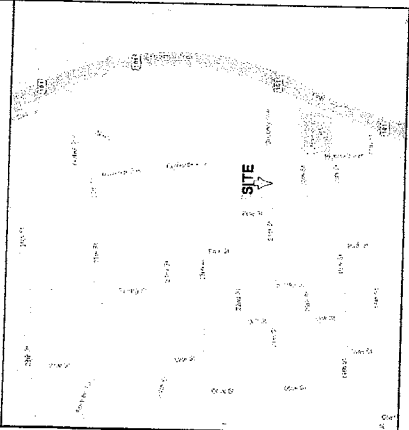
**PASO ROBLES FIRE DEPARTMENT - The applicant shall contact the Fire Department, (805) 237-3973, for compliance with the following conditions:**

**I. GENERAL CONDITIONS**

- 1. Fire hydrants shall be installed at intervals as required by the Fire Chief and City Engineer. The maximum spacing for single family residential shall be 500 feet. The maximum spacing for multi-family and commercial/ residential shall be 300 feet. On-site hydrants shall be placed as required by the Fire Chief.
- 2. Building permits shall not be issued until the water system, including hydrants, has been tested and accepted and a based access road installed sufficient to support the City's fire apparatus (HS-20 truck loading). The access road shall be kept clear to a minimum of 24 feet at all times and shall be extended to each lot and shall be maintained to provide all weather driving conditions.
- 3. No buildings shall be occupied until all improvements are completed and accepted by the City for maintenance.
- 4. If the development includes phased street construction, temporary turn-arounds shall be provided for streets that exceed 150 feet in length. The temporary turn around shall meet City requirements as set forth in the Public Works Department Standards and Specifications.
- 5. All open space areas to be dedicated to the City shall be inspected by the Fire Department prior to acceptance. A report shall be submitted recommending action needed for debris, brush and weed removal and tree trimming. The developer shall clean out all debris, dead limbs and trash from areas to be recorded as open space prior to acceptance into a Benefit Maintenance District.
- 6. Any open space included in a private development shall be subject to the approval of a vegetation management plan approved by the Fire Chief.
- 7. Each tract or phase shall provide two sources of water and two points of access unless otherwise determined by the Fire Chief and Public Works Director.
- 8. Provisions shall be made to update the Fire Department Run Book.

(Adopted by Planning Commission Resolution 94-038)

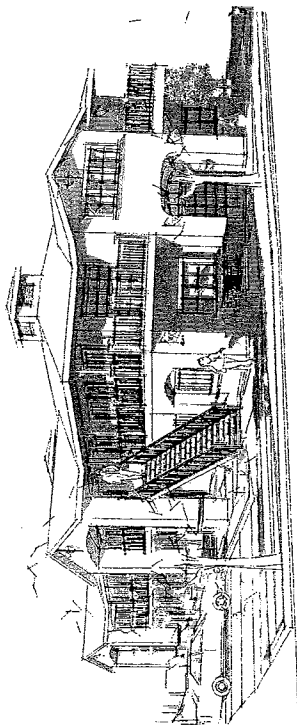
VICINITY MAP



MIXED USE DEVELOPMENT  
 1028 21st STREET  
 PASO ROBLES, CA  
 APN 008-247-003

FOR

SUNDANCE ENTERPRISES, INC.



PERSPECTIVE VIEW FROM NORTHEAST

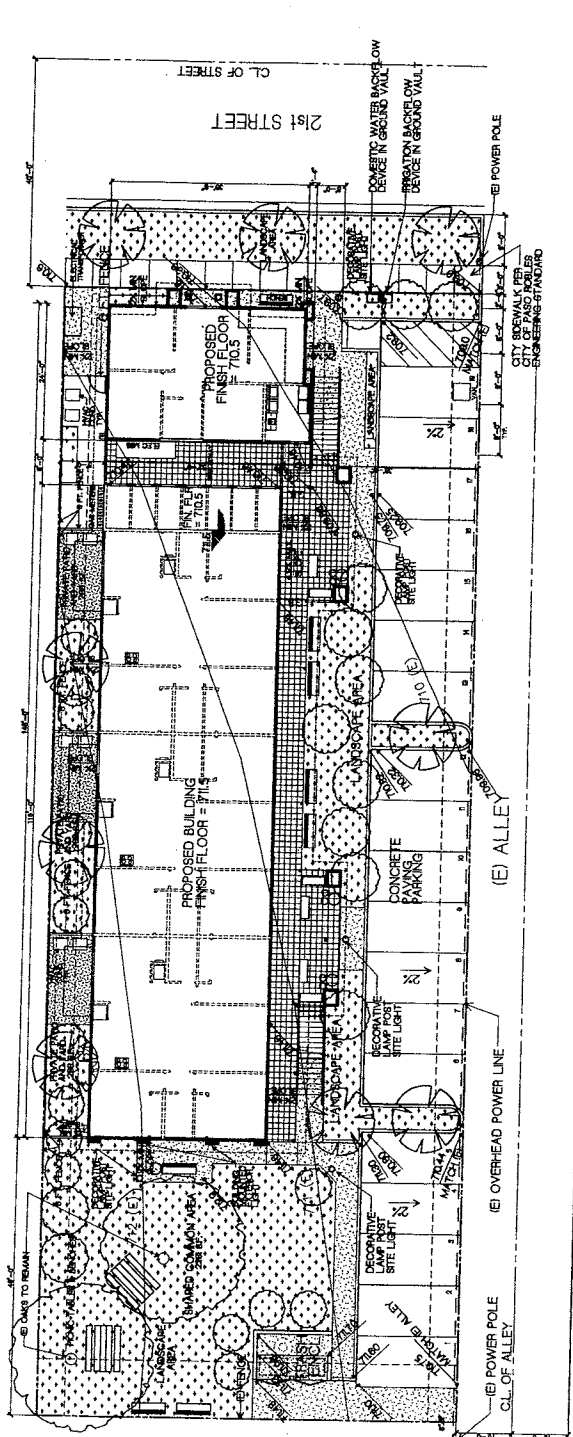
**PARKING CALCULATIONS**

COMMERCIAL COMPONENT
1 SPACES PER 200 SF
2400 SF = 12 SPACES REQD.
COMMERCIAL SUBTOTAL = 12 SPACES
RESIDENTIAL COMPONENT
2 SPACES PER LIVING UNIT
14 UNITS = 28 SPACES
PLUS 80% FOR VISITORS = 23 SPACES
RESIDENTIAL SUBTOTAL = 51 SPACES
REDUCTION FOR SHARED USE = 2 SPACES
1/3 OF COMMERCIAL PORTION (0.33x12)
TOTAL PROVIDED = 59 SPACES
INCLUDING ONE VAN ACCESSIBLE

**SHEET INDEX**

ARCHITECTURAL
T-0 TITLE SHEET, PERSPECTIVE VIEW
T-1 PLOT PLAN / CONCEPTUAL GRADING
A-1 FIRST FLOOR PLAN
A-2 SECOND FLOOR PLAN
A-3 ROOF PLAN
A-4 EXTERIOR ELEVATIONS
A-5 PERSPECTIVE VIEWS
A-5.1 DETAILS
A-5.2 DETAILS
LANDSCAPE
L-1 LANDSCAPE PLAN
L-2 IRRIGATION PLAN
L-3 INSTALLATION DETAILS

PROJECT	STEPHEN RUSSELL KING, AIA 1521 PARK STREET, SUITE A, PASO ROBLES, CA 93446 (805) 227-8417 PH (805) 874-8101 CELL
INDEX	OWNER SUNDANCE ENTERPRISES, INC. P.O. BOX 988 TEMPLETON, CA 93485
BY	
REVISION	



PLOT PLAN / CONCEPTUAL GRADING PLAN

SCALE 1" = 10'



REVISION	BY

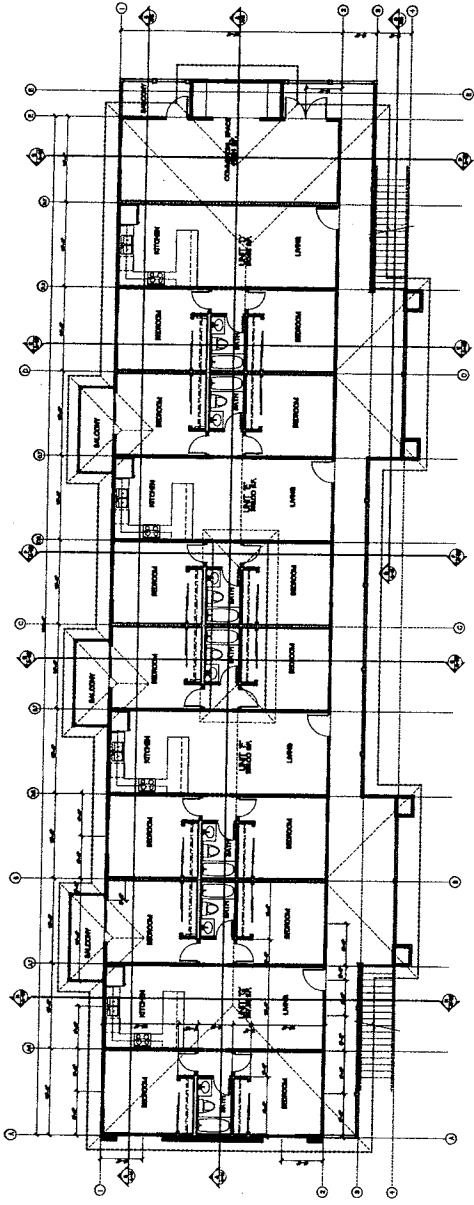
OWNER  
 SUNDANCE ENTERPRISES, INC.  
 P.O. BOX 388  
 TEMPLETON, CA 92485

OWNER  
 STEPHEN RUSSELL KING, AIA  
 1521 PARK STREET, SUITE A PASO ROBLES, CA 92448  
 (805) 227-0417 (PH FAX) (805) 674-8101 (CELL)

21st STREET MIXED USE DEVELOPMENT  
 PASO ROBLES, CA

FIRST FLOOR PLAN  
 SECOND FLOOR PLAN

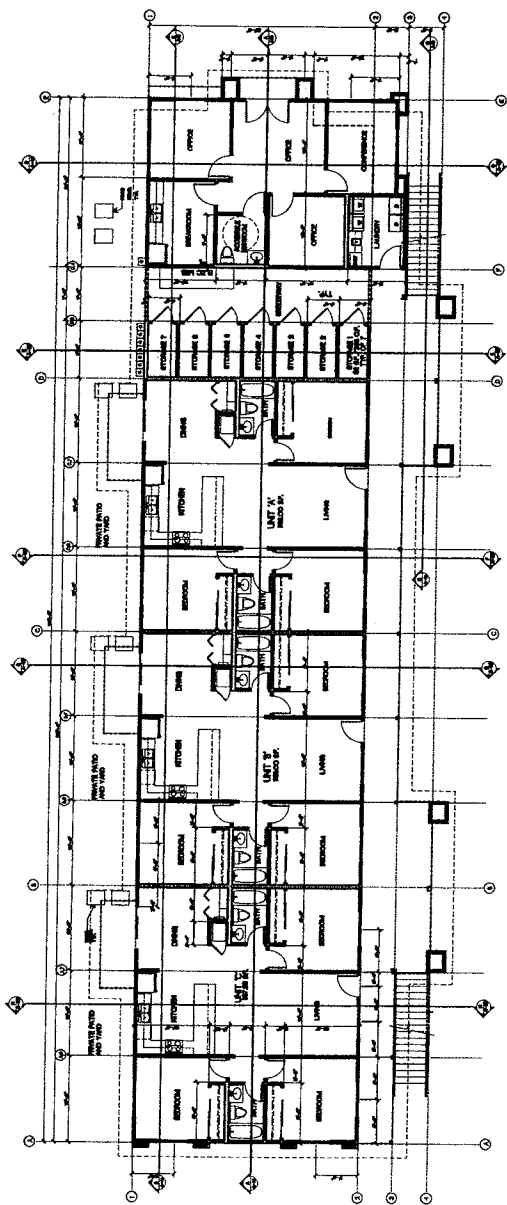
DATE: 09-09-2007  
 SCALE: 1/8" = 1'-0"  
 FILE NAME: 2005\_A1.dwg  
 SHEET  
**A-1**



SECOND FLOOR PLAN

SCALE 1/8"=1'-0"

SECOND FLOOR AREA SUMMARY	
RESIDENTIAL COMPONENT	80,008 SF.
UNIT 'D1'	80,008 SF.
UNIT 'E1'	152,000 SF.
UNIT 'F1'	152,000 SF.
UNIT 'G'	152,000 SF.
RESIDENTIAL PORTION SUBTOTAL	426,008 SF.
COMMERCIAL COMPONENT	41684 SF.
COMMERCIAL SERVICES OFFICE	41684 SF.
TOTAL SECOND FLOOR AREA	468,692 SF.



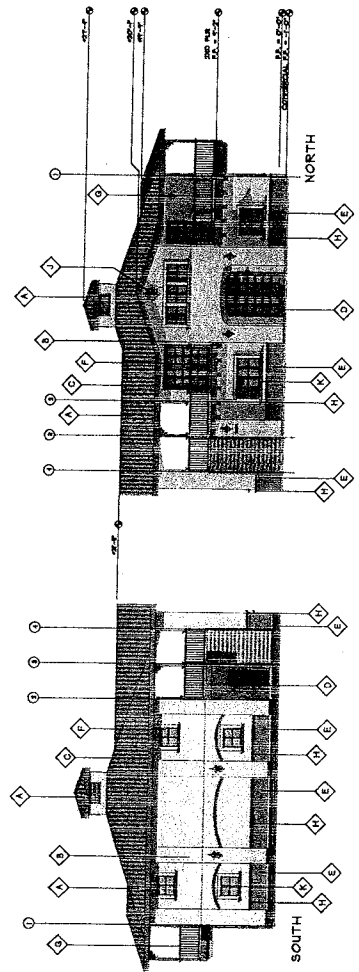
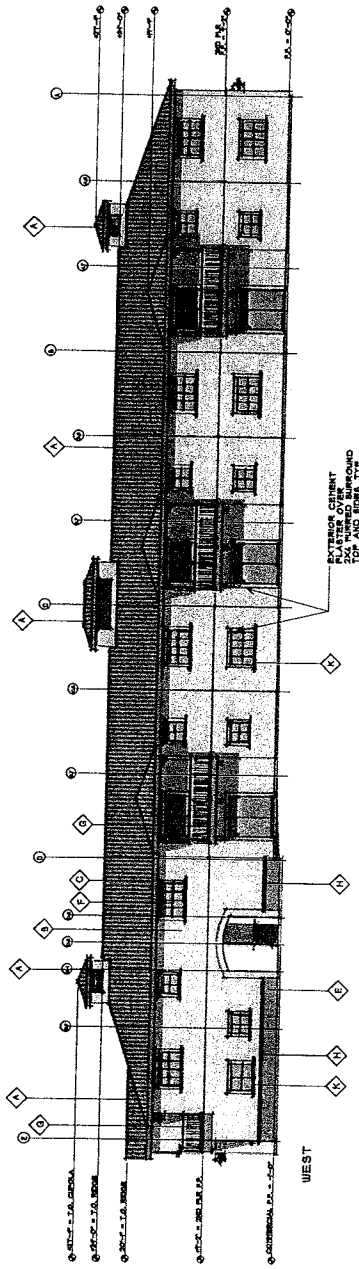
FIRST FLOOR PLAN

SCALE 1/8"=1'-0"

FIRST FLOOR AREA SUMMARY	
RESIDENTIAL COMPONENT	152,000 SF.
UNIT 'A1'	152,000 SF.
UNIT 'B1'	152,000 SF.
UNIT 'C1'	152,000 SF.
STORAGE	28,034 SF.
LAUNDRY	9,922 SF.
RESIDENTIAL PORTION SUBTOTAL	3,832,889 SF.
COMMERCIAL COMPONENT	77,040 SF.
COMMERCIAL SERVICES OFFICE	77,040 SF.
TOTAL GROUND FLOOR AREA	4,562,839 SF.

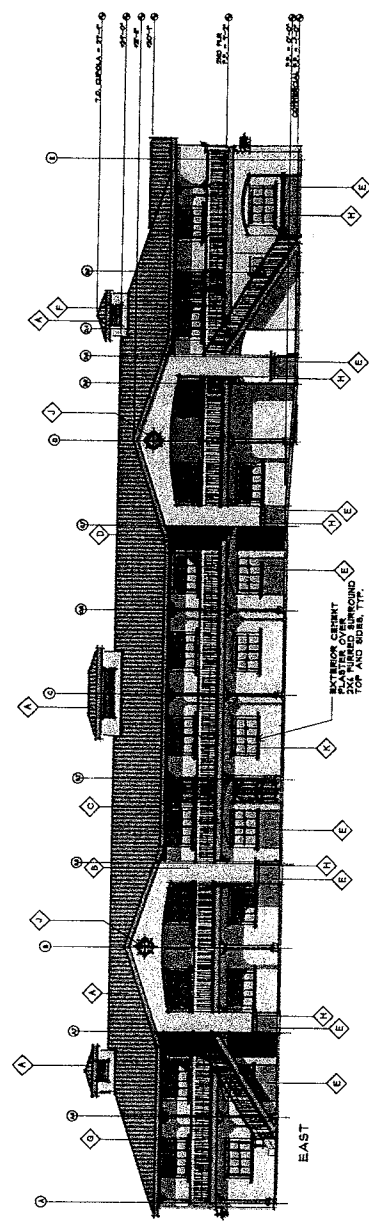
OWNER  
**STEPHEN RUSSELL KING, AIA**  
 1521 PARK STREET, SUITE A, PASO ROBLES, CA 93448  
 (805) 227-8417 PH FAX (805) 874-8101 CELL

OWNER  
**SUNDANCE ENTERPRISES, INC.**  
 P.O. BOX 368  
 TEMPLETON, CA 93465



**COLOR AND MATERIALS LEGEND**

- 1 Soft Shading (Woodwork)
- 2 Concrete (See Note 200)
- 3 7/8" Exposed Concrete (See Note 200)
- 4 Painted Color Benjamin Moore AC-1, "Fossilized Bone"
- 5 Painted Color Benjamin Moore 2005-04, "Fossilized Bone"
- 6 Stone, "Fossilized Bone"
- 7 Stone, "Fossilized Bone"
- 8 Stone, "Fossilized Bone"
- 9 The Woodard, 12" x 12" 4th Grade, "Fossilized Bone"
- 10 Painted Color Benjamin Moore AC-1, "Fossilized Bone"
- 11 Painted Color Benjamin Moore 2005-04, "Fossilized Bone"
- 12 Painted Color Benjamin Moore AC-1, "Fossilized Bone"
- 13 Painted Color Benjamin Moore 2005-04, "Fossilized Bone"
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- 99 Painted Color Benjamin Moore AC-1, "Fossilized Bone"
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**EXTERIOR ELEVATIONS**  
 SCALE: 1/8"=1'-0"

BY	
REVISION	

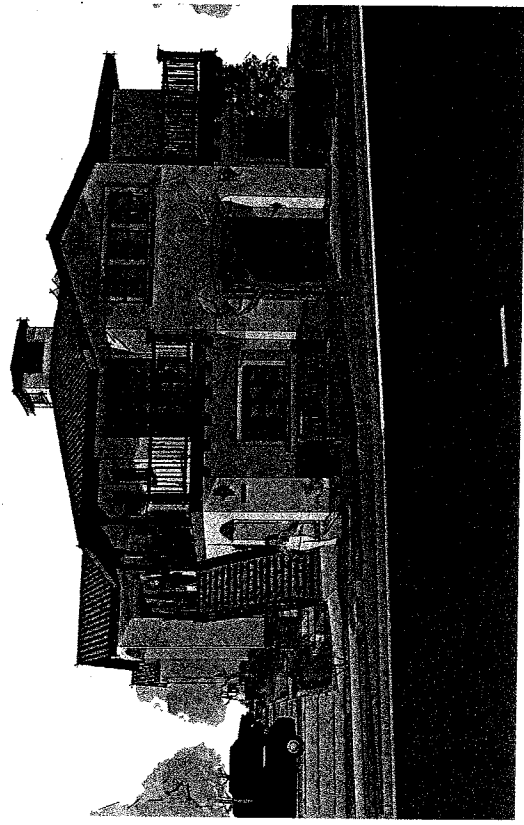
OWNER  
 SUNDANCE ENTERPRISES, INC.  
 P.O. BOX 386  
 TEMPLETON, CA 93465

1521 PARK STREET, SUITE A, PASEO ROBLES, CA 93446  
 (805) 227-8417 (PH) (805) 674-8101 (CELL)

21st STREET MIXED USE DEVELOPMENT  
 PASEO ROBLES, CA  
 PERSPECTIVE VIEWS

DATE: 02-09-2007  
 SCALE: NO SCALE  
 FILENAME: 0021A1.Ppt  
 SHEET

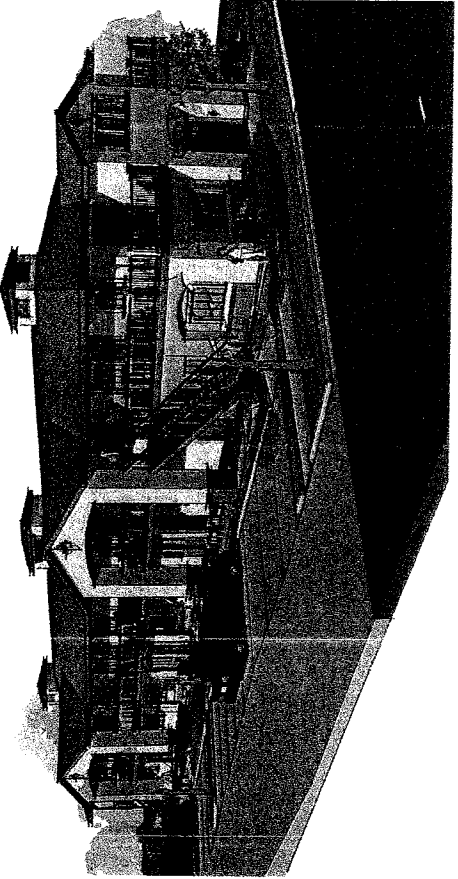
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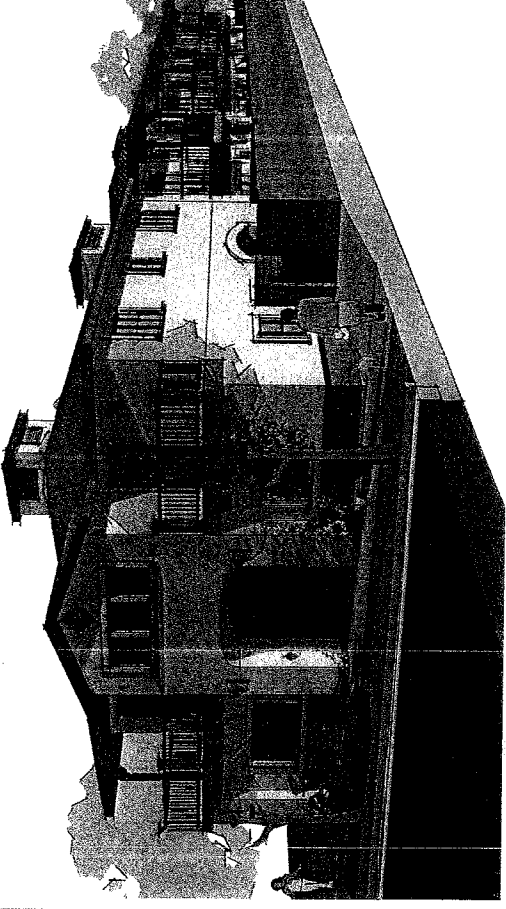
PERSPECTIVE FROM NORTH



PERSPECTIVE FROM SOUTHWEST



PERSPECTIVE FROM NORTHEAST



PERSPECTIVE FROM NORTHWEST

PERSPECTIVE VIEWS



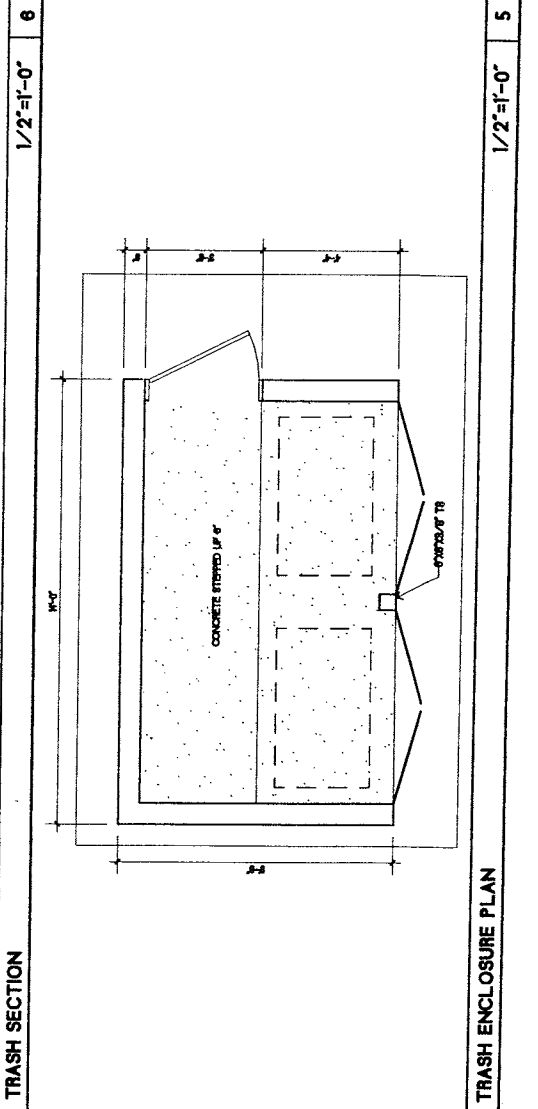
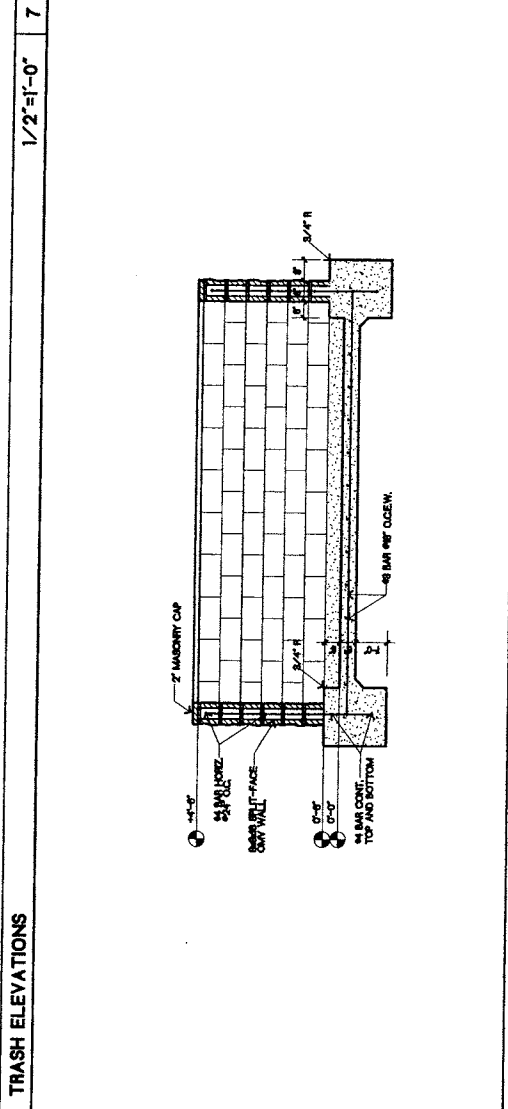
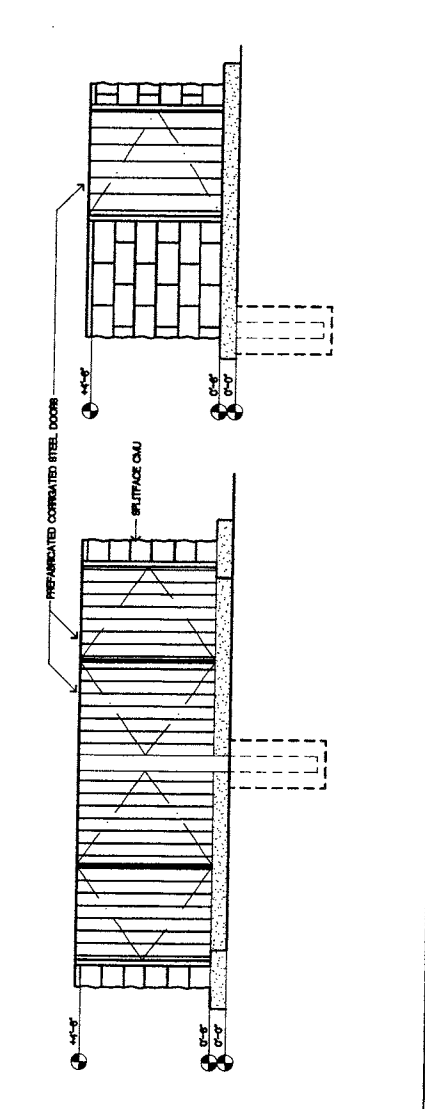
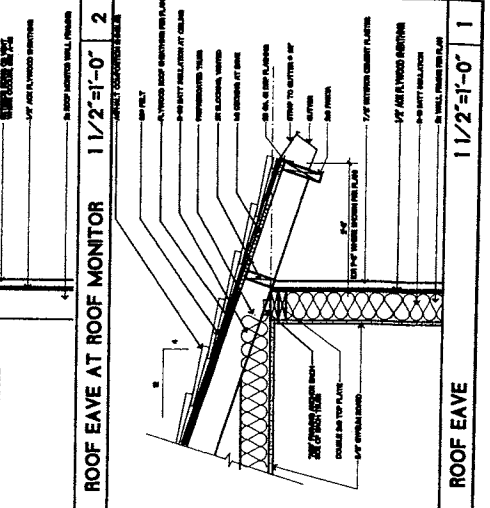
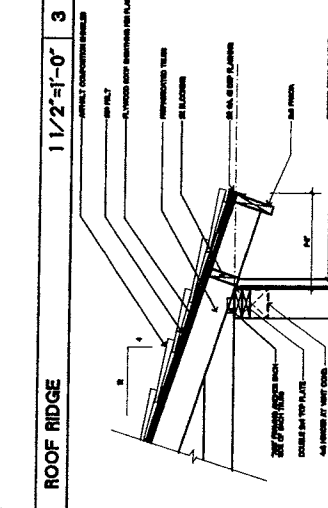
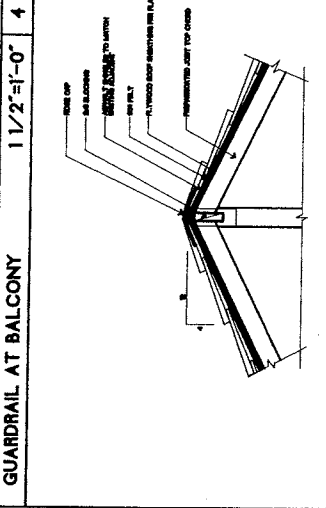
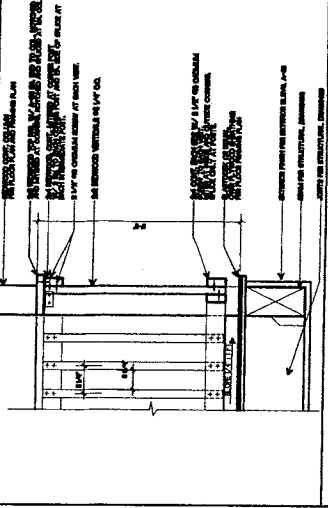


OWNER:  
SOUNDANCE ENTERPRISES, INC.  
1224 PARK STREET, SUITE 1, PASO ROBLES, CA 93446  
1809 225-4477, 1811 7100 9059 07-4-04-DELL

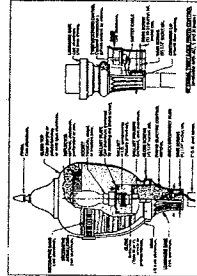
DESIGNER:  
STEPHEN RUSSELL KING, AIA  
1224 PARK STREET, SUITE 1, PASO ROBLES, CA 93446  
1809 225-4477, 1811 7100 9059 07-4-04-DELL

21st STREET MIXED USE DEVELOPMENT  
PASO ROBLES, CA

DATE: 1/20/2008  
SCALE: AS SHOWN  
DRAWING NO.: A-51  
SHEET NO.: 1

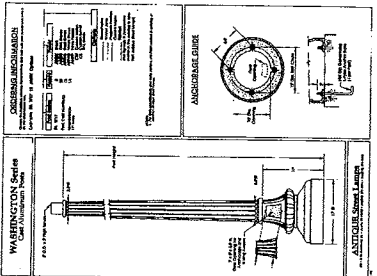


TRASH ENCLOSURE PLAN

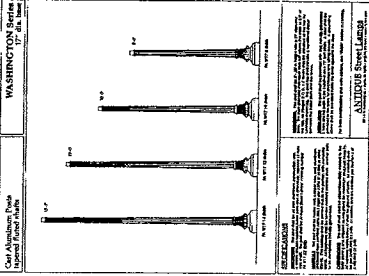


**WASHINGTON Street Lamp**  
 1. LAMP SHALL BE AS SHOWN UNLESS NOTED OTHERWISE.  
 2. LAMP SHALL BE 10' TALL TO THE TOP OF THE LUMINAIRE.  
 3. LAMP SHALL BE 10' TALL TO THE TOP OF THE LUMINAIRE.  
 4. LAMP SHALL BE 10' TALL TO THE TOP OF THE LUMINAIRE.  
 5. LAMP SHALL BE 10' TALL TO THE TOP OF THE LUMINAIRE.

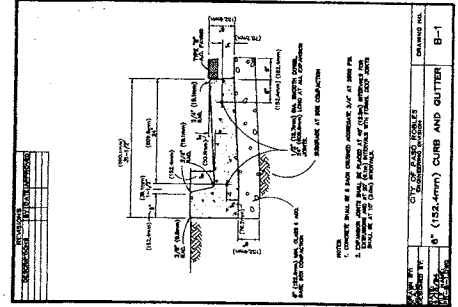
**Specifications**



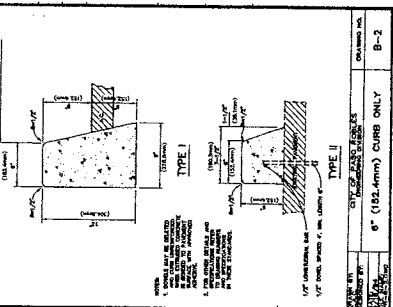
**WASHINGTON Street Lamp**  
 1. LAMP SHALL BE AS SHOWN UNLESS NOTED OTHERWISE.  
 2. LAMP SHALL BE 10' TALL TO THE TOP OF THE LUMINAIRE.  
 3. LAMP SHALL BE 10' TALL TO THE TOP OF THE LUMINAIRE.  
 4. LAMP SHALL BE 10' TALL TO THE TOP OF THE LUMINAIRE.



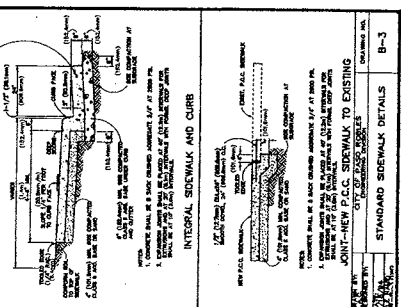
**WASHINGTON Street Lamp**  
 1. LAMP SHALL BE AS SHOWN UNLESS NOTED OTHERWISE.  
 2. LAMP SHALL BE 10' TALL TO THE TOP OF THE LUMINAIRE.  
 3. LAMP SHALL BE 10' TALL TO THE TOP OF THE LUMINAIRE.  
 4. LAMP SHALL BE 10' TALL TO THE TOP OF THE LUMINAIRE.



**6" (152.4mm) CURB AND GUTTER**  
 1. CURB SHALL BE 6" HIGH AND 6" WIDE.  
 2. CURB SHALL BE 6" HIGH AND 6" WIDE.  
 3. CURB SHALL BE 6" HIGH AND 6" WIDE.



**6" (152.4mm) CURB ONLY**  
 1. CURB SHALL BE 6" HIGH AND 6" WIDE.  
 2. CURB SHALL BE 6" HIGH AND 6" WIDE.  
 3. CURB SHALL BE 6" HIGH AND 6" WIDE.



**INTERNAL SIDEWALK AND CURB**  
 1. SIDEWALK SHALL BE 4" THICK AND 18" WIDE.  
 2. SIDEWALK SHALL BE 4" THICK AND 18" WIDE.  
 3. SIDEWALK SHALL BE 4" THICK AND 18" WIDE.

**CONCRETE NOTES**  
 1. CONCRETE SHALL BE 3" MIN. AT MAX.  
 2. CONCRETE SHALL BE 3" MIN. AT MAX.  
 3. CONCRETE SHALL BE 3" MIN. AT MAX.

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PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

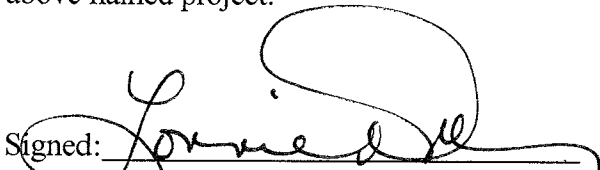
Newspaper: Tribune

Date of Publication: February 7, 2007

Meeting Date: February 27, 2007  
(Planning Commission)  
March 6, 2007  
(City Council)

Project: Planned Development 06-015  
and Rezone 06-003  
(Sundance/1028 - 21<sup>st</sup> Street)

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

Signed:   
Lonnie Dolan

CITY OF EL PASO DE ROBLES  
NOTICE OF PUBLIC HEARING

NOTICE OF INTENT TO CONSIDER  
A REZONE (RZ 06-003)  
PLANNED DEVELOPMENT (PD 06-015)  
AND TO ADOPT A NEGATIVE  
DECLARATION

NOTICE IS HEREBY GIVEN that the City of El Paso de Robles will hold two Public Hearings to consider a Zoning Map Amendment, Planned Development and a draft Negative Declaration.

The Planning Commission will consider this item at a Public Hearing on Tuesday, February 27, 2007, and the City Council will consider this item and introduce the Zoning Amendment at a Public Hearing on March 6, 2007. Both meetings will be held at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers.

The two hearings will consider the following project and associated draft Negative Declaration:

Rezone 06-003 and Planned Development 06-015: A request filed by Sundance Enterprises, to rezone the subject property from Residential Multi-Family (R3) to Commercial/Light Industrial Mixed-Use (C-3 M-U) to be consistent with the General Plan Land Use Designation of Commercial Service Mixed-Use (CS-MU), and to construct a mixed-use project with 7 apartment units and 1,240 s.f. of commercial area. The property is located at 1028 21st Street. (APN 008-247-003).

The draft Negative Declaration to be considered is a statement that there will be no significant environmental impacts resulting from the proposed project, in accordance with the provisions of the California Environmental Quality Act (CEQA).

The public review period for this project is February 7th through February 27th, 2007. The proposed project and Negative Declaration may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.

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

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

Susan DeCarli, AICP  
City Planner  
February 7, 2007


6532672

**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 Planned Development 06-015 and Rezone 06-003 (Sundance/Clouston – 1028-21<sup>st</sup> Street) on this 16th day of February 2007.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed:   
Susan DeCarli

forms\mailaffi.691