

**TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION**  
**FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR**  
**SUBJECT: PLANNED DEVELOPMENT 07-007 (HOMETOWN NURSERY)**  
**DATE: JULY 24, 2007**

**Needs:** For the Planning Commission to consider an application filed by Nick Gilman on behalf of Dr. B.R. Bryant for PD 07-007 proposing to develop a new site for Hometown Nursery.

- Facts:**
1. The project is located at 201 Spring Street, which is on the west side of Spring Street, between 2<sup>nd</sup> and 3<sup>rd</sup> Streets, east of the alley (See attached Vicinity Map).
  2. The site is zoned C2-PD (Highway Commercial, within the Planned Development Overlay district), and is in the Community Commercial (CC) land use category.
  3. According to Chapter 21.16A of the Zoning Code, projects located within the PD-overlay district are required to apply for a development plan (PD).
  4. Table 21.16.200, Permitted Land Use Table, indicates that retail nurseries are permitted in the C2 zoning district.
  5. The project includes the construction of a new 4,960 square foot building with accessory parking lots and outdoor nursery sales areas. Approximately 22,000 square feet of the site would be outdoor sales area.
  6. The site gradually slopes down to the north and in order to provide a relatively flat area for the outdoor sales area, the plans show the construction of retaining walls approximately 3-feet in height.
  7. Decorative fencing would be constructed around the outdoor yard area and would be incorporated into the retaining walls. Fencing materials include black tubular steel with concrete pilasters.
  8. Included in the plans are the proposed shade canopies for the yard. The applicants are proposing a product called Shade Sails for the structures. See Exhibit G of the attached Resolution for photographs of the proposed structures. The shade material would be a canvas type material and the

colors would correspond with the building. A condition of approval has been added to the project requiring the final details for the structure to be presented to the DRC prior to the issuance of a building permit.

9. The project has been designed to preserve the 32-inch Live Oak tree located at the northwest corner of the site. An Arborist Report was prepared by A & T Arborist (attached to the Resolution as Exhibit H), concluding that the project will not have impacts to the tree, but actually improve existing impacts to the tree than currently existing with the mobile home sales site.
10. Additionally, the Arborist indicates that the construction of the trash enclosure and fencing will not have an impact, since they will be constructed in a manner that will not required a footing. The Arborist also indicated that he does not have concern with the parking shown within the drip line.
11. The project complies with the City Zoning Ordinance, development standards for setbacks, building height, and other on-site requirements.
12. This project is Categorically Exempt from environmental review per Section 15332 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).
13. The Development Review Committee (DRC) reviewed the project at their meeting on July 2, 2007, and recommended that the Planning Commission approve the project as submitted.

### **Analysis and**

**Conclusions:** The DRC discussed the project's location at the entrance to the city and while the DRC indicated that the nursery is a welcomed use at the proposed site, there were discussions if there is the possibility for additional materials, such as red brick could be incorporated into the building and decorative fencing to match the materials of the Veteran's Memorial Bridge. Nick Gilman and Bob Bryant indicated that the concrete used in the retaining wall and fence pilasters were modeled after elements of the bridge, but they did not feel that addition of brick to the building would lend itself to the style of building they are trying to achieve.

The DRC was in favor of the project and recommended that the Planning Commission approve the project, but indicated that the final building materials may be a point of discussion with the full Planning Commission. Design issues the Commission should focus in on include:

- Articulation in the Spring Street retaining wall & decorative fencing to allow for periodic planting between the wall and sidewalk;
- Inclusion of alternative building materials such as brick or other type of wainscot material;

The General Plan and Zoning Ordinance support retail sales in the C2 district, encourages a wide range of commercial uses in the downtown.

Hometown nursery has been a successful business in the downtown area for many years. The proposed project will not only provide for a new, more efficient operation for the nursery, but allow the opportunity for new development at the entrance of the City.

**Reference:** Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance, 2006 Paso Robles Economic Strategy and CEQA,

**Fiscal Impact:** None.

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

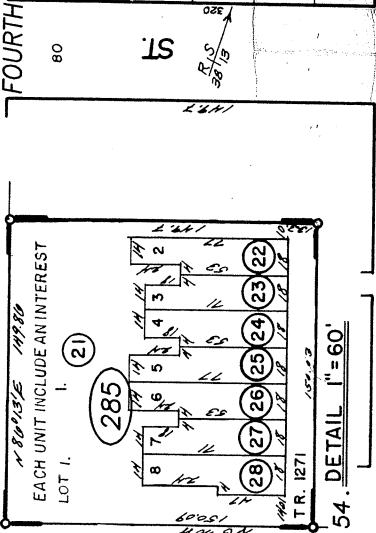
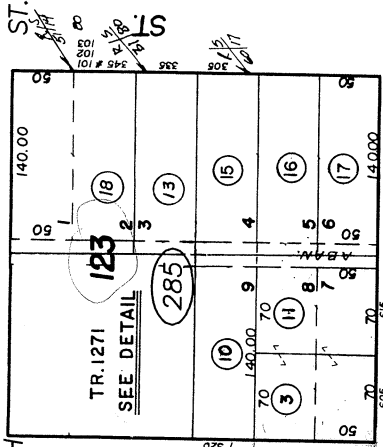
- By separate motions:
- a. Adopt the attached Resolution approving Planned Development 07-007.
  - b. Amend, modify, or reject the above-listed action.

Prepared by:

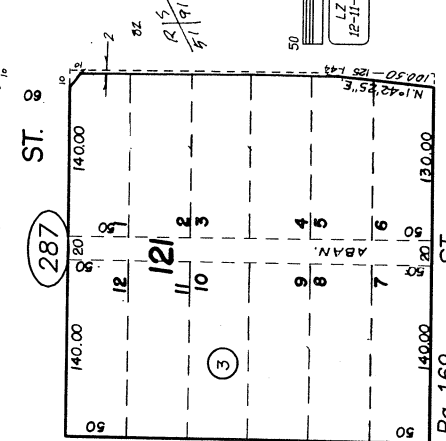
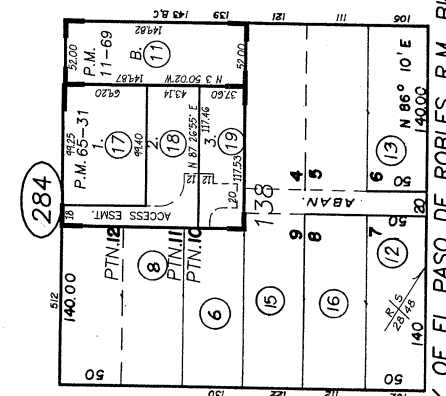
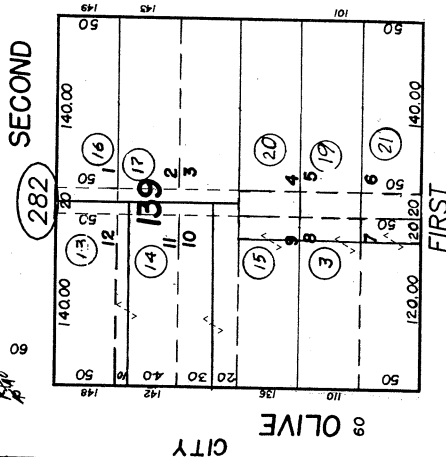
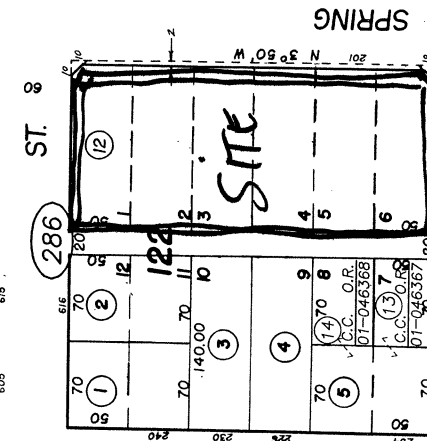
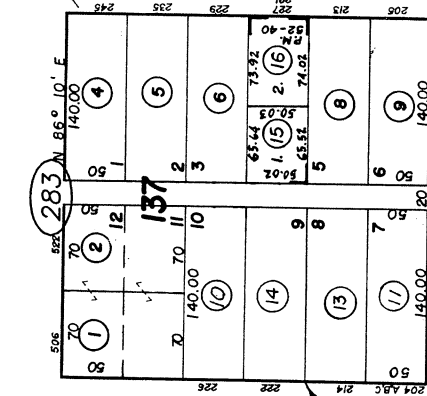
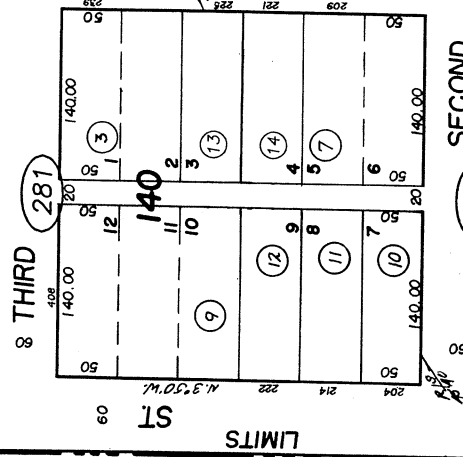
Darren Nash  
Associate Planner

**Attachments:**

1. Vicinity Map
2. City Engineer Memo
3. Resolution to Approve the Planned Development 07-007
4. Newspaper and Mail Notice Affidavits



TRACT 1271; R.M. Bk. 12, Pg. 54. DETAIL 1"=60'



REVISIONS	L.S.	DATE
	09-320	04-06-06

LZ 12-21-01  
THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY.

CITY OF PASO ROBLES  
ASSESSOR'S MAP, COUNTY OF  
SAN LUIS OBISPO, CA.  
BOOK 009 PAGE 28

Vicinity Map  
PD 07-007  
(Hometown Nursery)

## **MEMORANDUM**

**TO:** Darren Nash  
**FROM:** John Falkenstien  
**SUBJECT:** PD 07-007, Hometown Nursery  
**DATE:** July 24, 2007

### **Streets**

The subject property is located on the west side of Spring Street between 2<sup>nd</sup> and 3<sup>rd</sup> Streets. Spring Street is fully improved in this area. The property also has improved frontages on 2<sup>nd</sup> and 3<sup>rd</sup> Streets. Alley improvements are needed in this block.

### **Sewer and Water**

An 8-inch sewer main is available to the property on Spring Street. A 10-inch water main is available to the property on Spring Street. There are existing fire hydrants on the southwest corner of 3<sup>rd</sup> and Spring and the southwest corner of 2<sup>nd</sup> and Spring Streets.

### **Storm Water**

The City is actively working on developing a storm water quality ordinance and new standards that incorporate Low Impact Development best management practices. This project will be subject to all requirements and standards that will be adopted.

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### **Recommended Site Specific Conditions**

1. Storm water quality facilities must be provided that address both construction and post-construction best management practices and Low Impact Development standards as required by the City Engineer.
2. The alley adjacent to the property shall be improved in accordance with City Standard A-17 with alley approaches installed at 2<sup>nd</sup> and 3<sup>rd</sup> Streets in accordance with City Standard B-6 and plans approved by the City Engineer.

RESOLUTION NO.:

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES APPROVING  
PLANNED DEVELOPMENT 07-007  
(HOMETOWN NURSERY)  
APN: 009-286-012

WHEREAS, Planned Development 07-007 has been submitted by Nick Gilman on behalf of Dr. B.R. Bryant for the development of the site located at 201 Spring Street for Hometown Nursery; and

WHEREAS, the General Plan land use designation of the site is Community Commercial (CC), and the Zoning is C2-PD (Highway Commercial, Office Professional Overlay); and

WHEREAS, Section 21.16A, Planned Development Overlay District, requires that project located within a PD-overlay district, be subject to Planning Commission approval of a development plan (PD); and

WHEREAS, at its July 24, 2007 meeting, the Planning Commission held a duly noticed public hearing on the Project, to accept public testimony on the proposal including Planned Development 07-007 and related applications; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15332 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA); 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 proposed Project will not be detrimental to the City's efforts to revitalize Downtown Paso Robles since the Project is consistent with the City's Economic Strategy, by providing investment into the downtown as well as providing the opportunity for new development at the entrance to the City.
2. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.23B.050 (Findings for approval of development plans) as follows:
  - A. The design and intensity (density) of the proposed development plan is consistent with the following:
    1. The goals and policies established by the general plan;
    2. The policies and development standards established by any applicable specific plan;
    3. The zoning code, particularly the purpose and intent of the zoning district in which a development project is located;
    4. All other adopted codes, policies, standards, and plans of the city;

- B. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the person residing or working in the neighborhood, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city;
- C. The proposed development plan accommodates the aesthetic quality of the city as a whole, especially where development will be visible from gateways to the city and scenic corridors;
- D. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides appropriate visual appearance, and contributes to the mitigation of any environmental and social (e.g., privacy) impacts;
- E. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, stress courses, oak trees, vistas, historic buildings and structure;
- F. The proposed development plan contributes to the orderly development of the city as a whole;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 07-007, subject to the following conditions:

**STANDARD CONDITIONS:**

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

**PLANNING SITE SPECIFIC CONDITIONS:**

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

- 2. The Project shall be constructed in substantial conformance with the Conditions of Approval established by this Resolution and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBIT	DESCRIPTION
A	Standard Conditions
B	Site Plan
C	Landscape Plan
D	Architectural Elevations
E	Fence Details
F	Color and Materials Board (Full Size on file in the Com. Dev. Dept.)
G	Photos of Shade Sale Canopies
H	Arborist Report

- 3. This Development Plan for PD 07-007, allows for development of the 4,960 square foot building and outdoor sales for Hometown Nursery, as indicated in the above listed exhibits A-G, for the site located at 201 Spring Street.



4. In conjunction with the submittal of the plans for a grading permit for the site, the grading plans shall indicate the necessary requirements for protection of the tree during construction as recommended in the Arborist Report (Exhibit F). An arborist statement shall be included with the grading plans indicating his satisfaction with the plans and any schedule for monitoring prior to or during construction.
5. All equipment such as but not limited to transformers and back-flow devices shall be fully screened. This equipment shall be shown on the final landscaping plan and be reviewed by the DRC to insure proper screening.
6. Prior to the issuance of a Building Permit the final details for the shade structures for the sales area shall be submitted for review by the DRC.

**ENGINEERING SITE SPECIFIC CONDITIONS:**

7. Storm water quality facilities must be provided that address both construction and post-construction best management practices and Low Impact Development standards as required by the City Engineer.
8. The alley adjacent to the property shall be improved in accordance with City Standard A-17 with alley approaches installed at 2<sup>nd</sup> and 3<sup>rd</sup> Streets in accordance with City Standard B-6 and plans approved by the City Engineer.

PASSED AND ADOPTED THIS 24<sup>th</sup> day of July, 2007 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIRMAN MARGARET HOLSTINE

ATTEST:

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RON WHISENAND, PLANNING COMMISSION SECRETARY

h:darren/PD/HometownNurseryPDRes

**EXHIBIT A OF RESOLUTION**

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

PROJECT #: PD 07-007

APPROVING BODY: PLANNING COMMISSION

DATE OF APPROVAL: JULY 24, 2007

APPLICANT: HOMETOWN NURSERY

LOCATION: 201 SPRING 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 July 24, 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.

- 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.

(Adopted by Planning Commission Resolution 94-038)

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

APPLICANT: Hometown Nursery PREPARED BY: JF

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

PROJECT: PD 07-007 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>Alley</u>	<u>A-17</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.

(Adopted by Planning Commission Resolution 94-038)



- 8. 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 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).

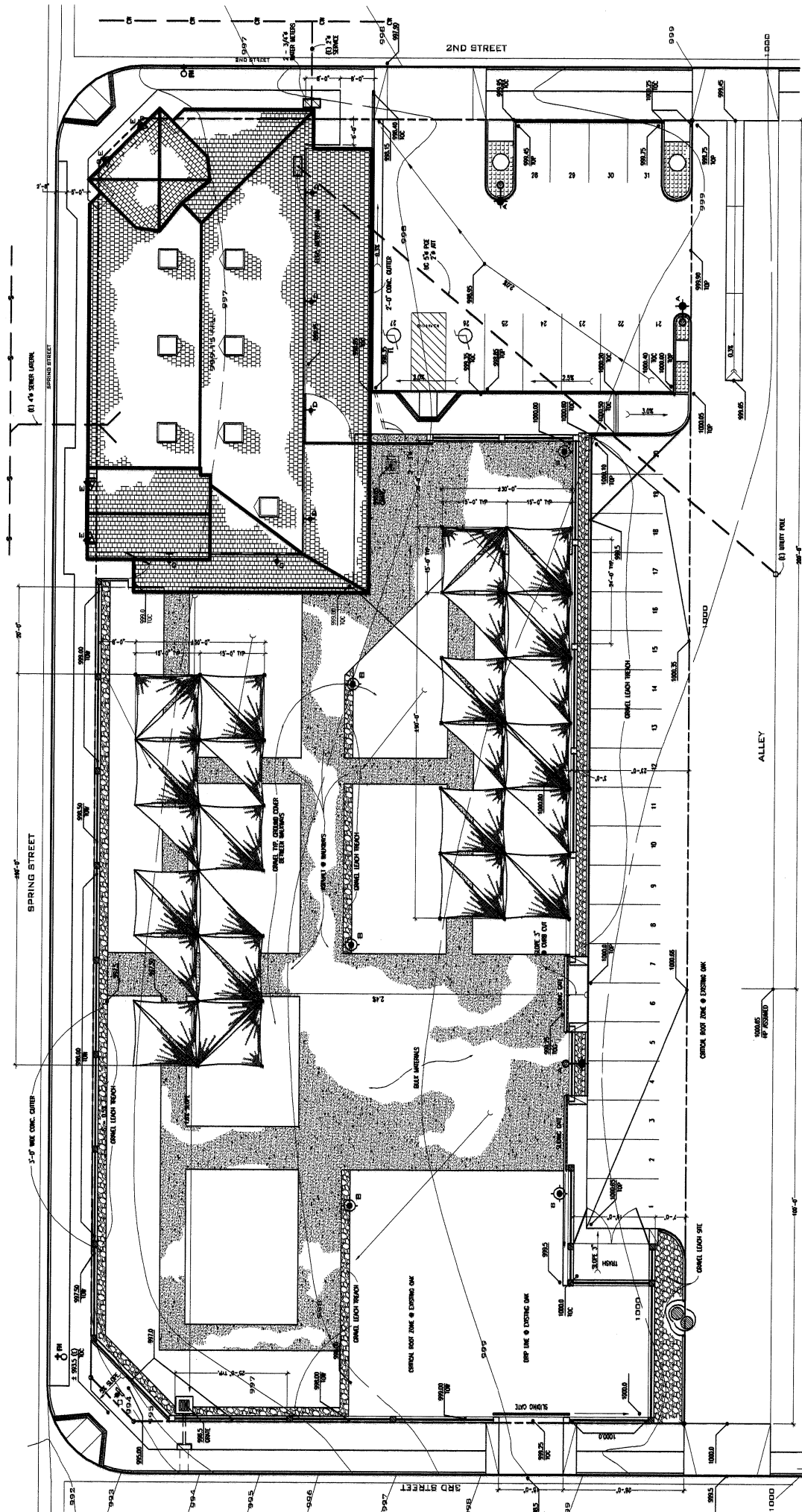
- 9. Any utility trenching in existing streets shall be overlaid to restore a smooth riding surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City streets.
- 10. The applicant shall install all utilities (sewer, 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.



**SITE PLAN**

- LIGHTING SCHEDULE**
- A = 400W MH, 25'-0" POLE, RUUD #S4V2640-M
  - B = 400W MH, 25'-0" POLE, RUUD #S5VH640-M
  - C = 50W MH, LOW FLOOD, RUUD #NS640S-D
  - D = 50W MH, WALL MNT - UP / DOWN CUT OFF, RUUD #SES40S-D
  - E = 32W FLUOR, WALL MNT, SIGN LIGHTER, RUUD #NS6232-UL-W/DEP

**PARKING:**  
 REQUIRED - BUILDING 4000 / 500 = 10  
 OUTSIDE SPACES 21,000 / 2000 = 11  
 TOTAL 21

**PRELIMINARY GRADING:**  
 EXCEPT FOR RECONSTRUCTION AND UNDER-SLOPE  
 MODIFICATION, NO SIGNIFICANT CUT OR FILL IS  
 PROPOSED.

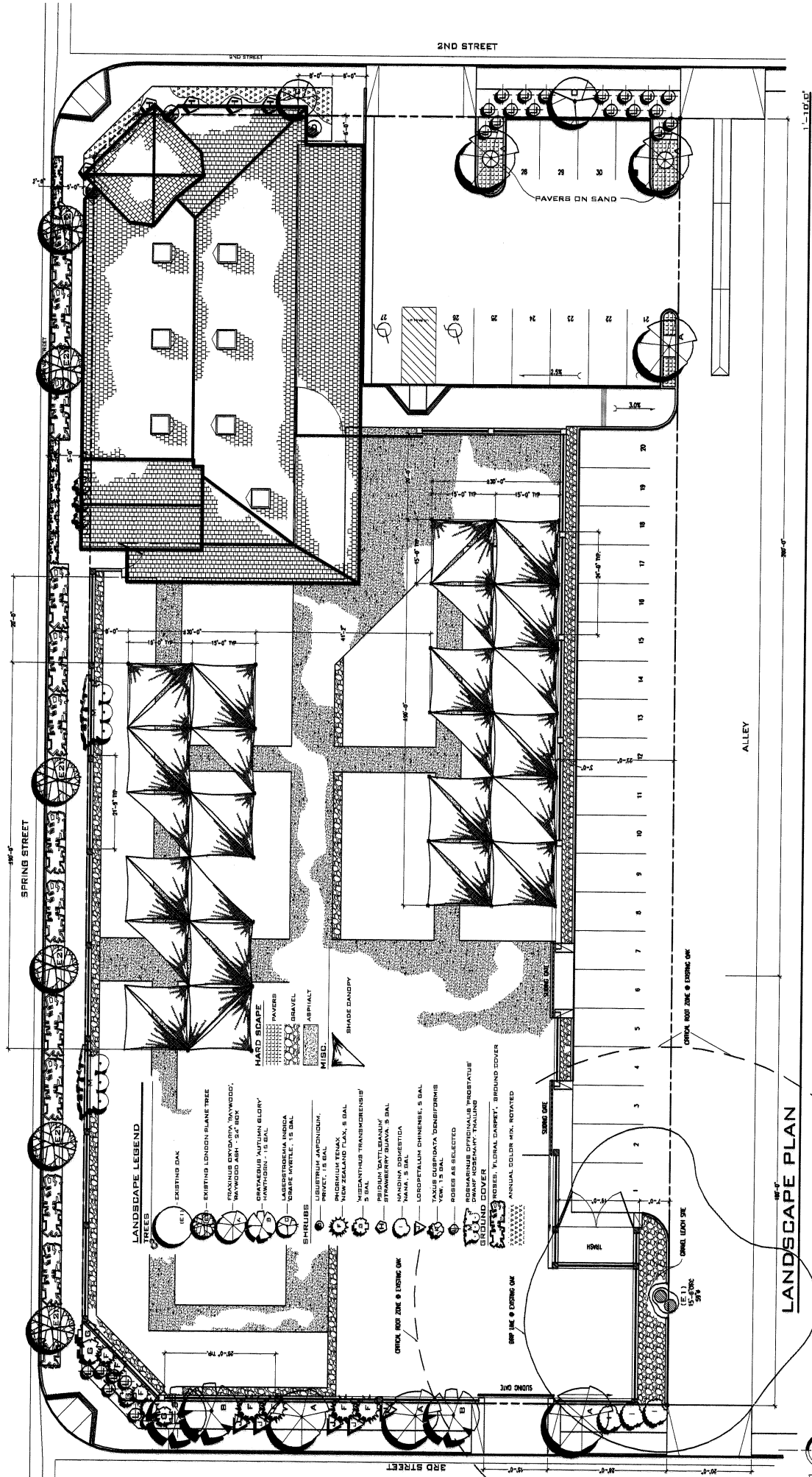
**HOME TOWN NURSERY**  
 3RD & SPRING, PASO ROBLES, CA  
 APN# 009-286-01-2  
 PORTION BLOCK 1.22

41,265 SQ. FT.  
 4,980 SQ. FT.

DATE	05/14/10
BY	W. E. R. SPAN
CHECKED BY	W. E. R. SPAN
SCALE	1" = 10'-0"
PROJECT	HOME TOWN NURSERY
OWNER	HOME TOWN NURSERY
LOCATION	3RD & SPRING, PASO ROBLES, CA
NO.	5

**Exhibit B**  
**Site Plan**  
**PD 07-007**  
**(Hometown Nursery)**



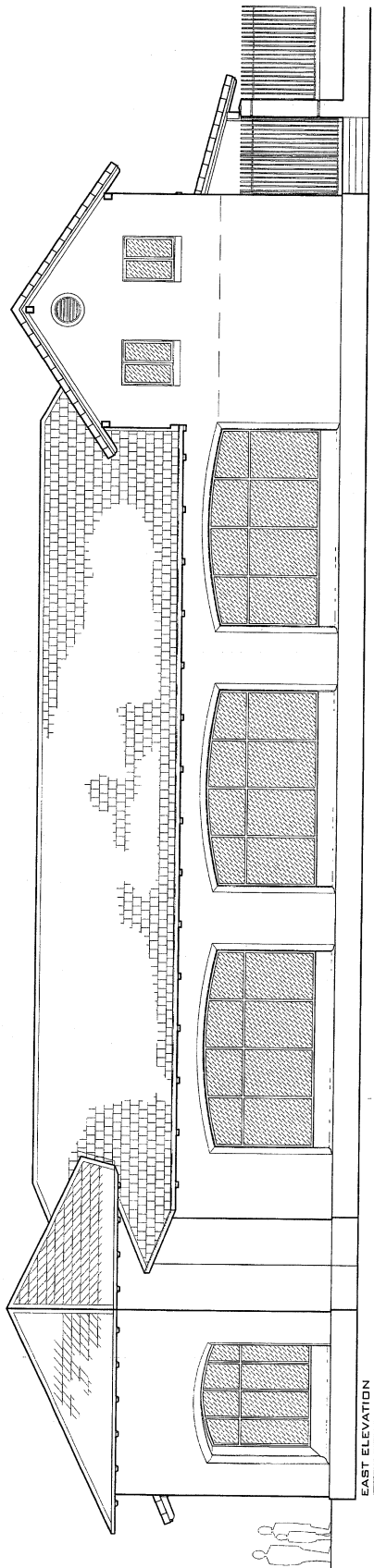


- LANDSCAPE LEGEND**
- TREES
    - EXISTING OAK
    - EXISTING LONDON PLANE TREE
    - FRAXINUS DNYDARIA 'WAYWOOD'
    - WAYWOOD ASH - 54" DBH
    - FRAXINUS 'MAYRIKIN GLORY'
    - HAWTHORN - 15" DBH
    - QUERCUS BURESA
    - QUERCUS MARSHALLI - 15" DBH
  - SHRUBS
    - LIGULARIA 'MAGNIFICUM'
    - PRUNUS NAT'L BURNING
    - PRUNUS NAT'L SUAVIA - 5" DBH
    - MACRANATHUS 'GENTLE'
    - MAHA - 5" DBH
    - LODDRETTALUM 'DHNENSE' - 5" DBH
    - TAXUS SUBURBANA 'BENEFICENTIS'
    - YEW - 15" DBH
  - ROSES AS SELECTED
  - ROMANUS OFFICINALIS 'PROSTATUS'
  - SWAMP ROSEMARY 'THALING'
  - GROUND COVER
    - ROSES: 'LUDIA DARET', BIRDING COVER
    - ANNUAL GOLDEN MR. RETATED

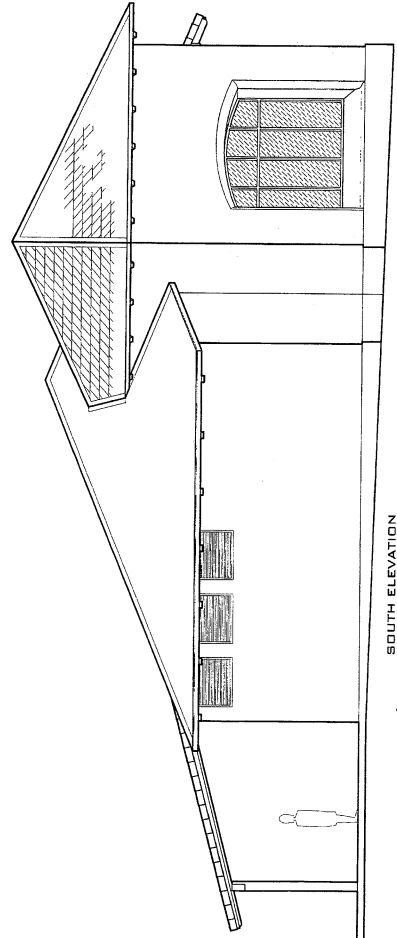
- HARD SCAPE**
- PAVERS
  - GRAVEL
  - ASPHALT
  - MISC.
  - SHADE DANGOPY

NO. 0000	DATE	BY	SCALE
06/07	06/07	LS	1" = 10'-0"
<b>LANDSCAPE PLAN HOMETOWN NURSERY</b>			
200 AND SPRING STREET, HANCOCK, MISSISSIPPI			
PROJECT: 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120, 125, 130, 135, 140, 145, 150, 155, 160, 165, 170, 175, 180, 185, 190, 195, 200			
DESIGNER: MRS. J. B. BRYANT			
DRAWN: MRS. J. B. BRYANT			
CHECKED: MRS. J. B. BRYANT			
DATE: 06/07			

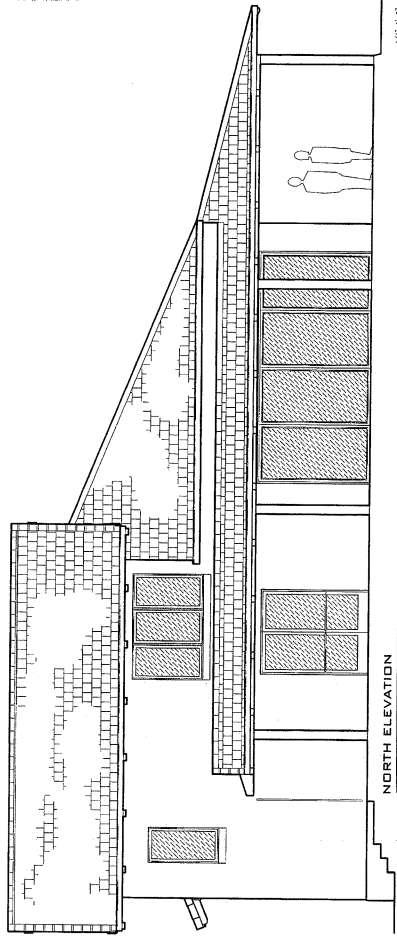
**Exhibit C**  
**Landscape Plan**  
**PD 07-007**  
**(Hometown Nursery)**



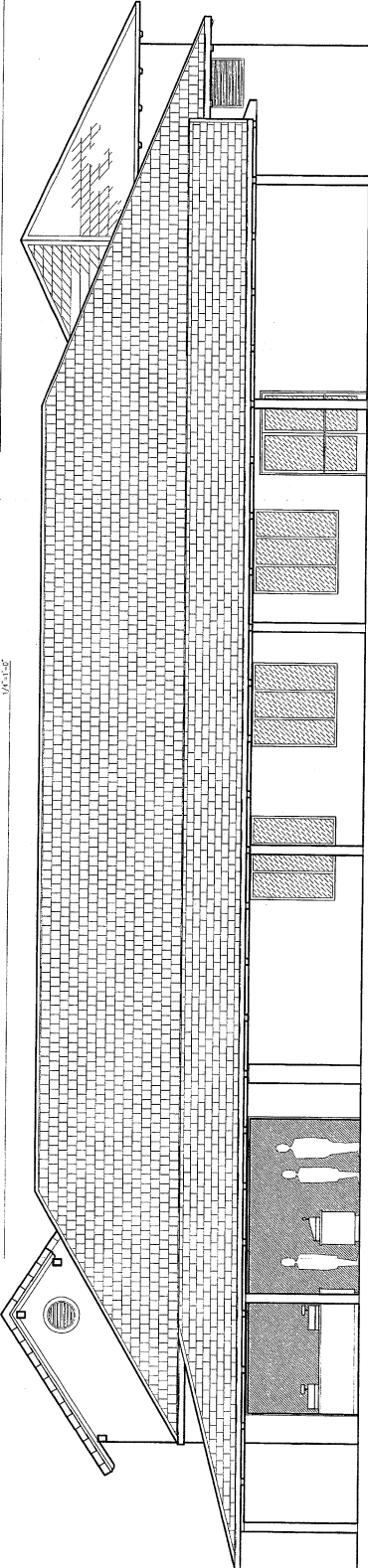
EAST ELEVATION



SOUTH ELEVATION



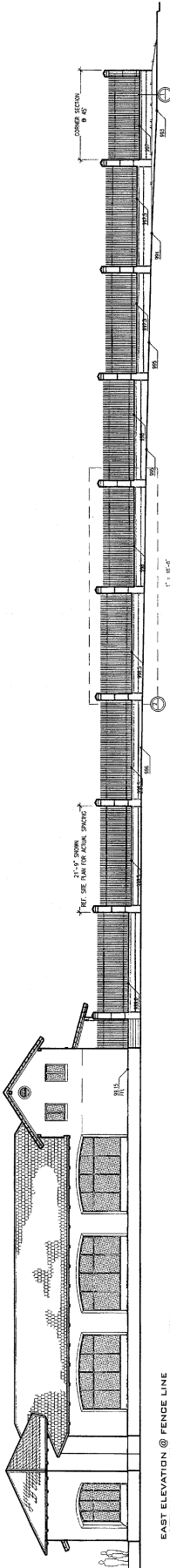
NORTH ELEVATION



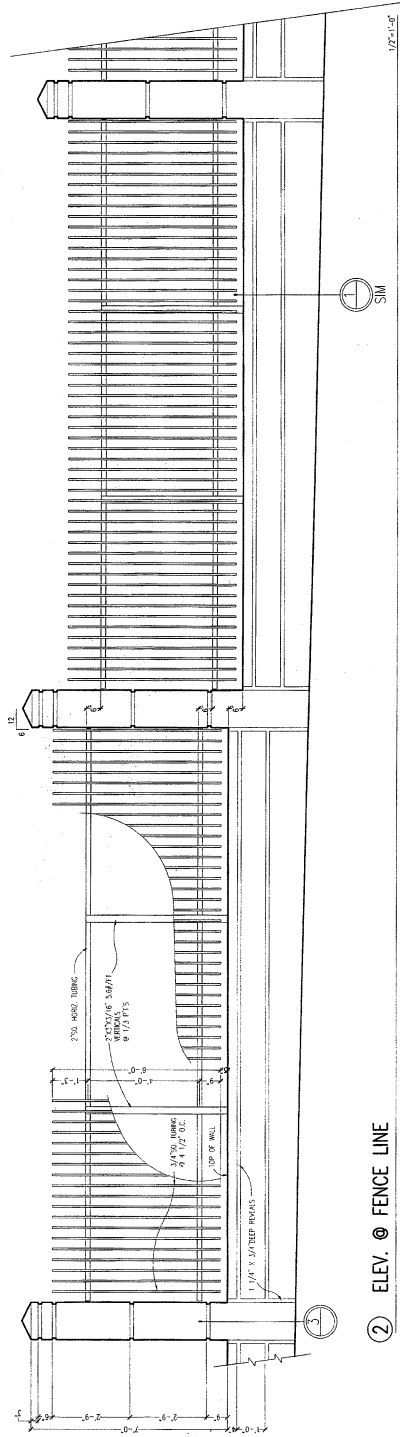
WEST ELEVATION

DATE	05/10/07
SCALE	1/4\"/>
PROJECT	DEVELOPMENT OF 1000 S.W. 10TH AVENUE, SUITE 1000, MIAMI, FL 33135
ARCHITECT	DAVID R. BROWN ARCHITECTS, P.A. 1000 S.W. 10TH AVENUE, SUITE 1000, MIAMI, FL 33135
DRAWN BY	DAVID R. BROWN
CHECKED BY	DAVID R. BROWN
DATE	05/10/07

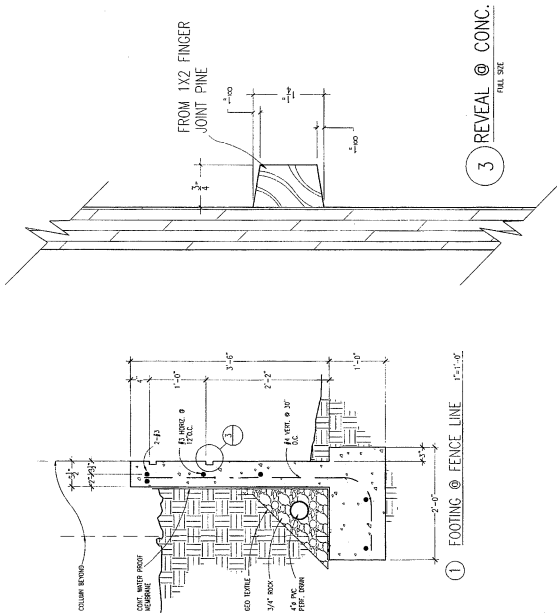
**Exhibit D**  
**Architectural Elevations**  
**PD 07-007**  
**(Hometown Nursery)**



EAST ELEVATION @ FENCE LINE



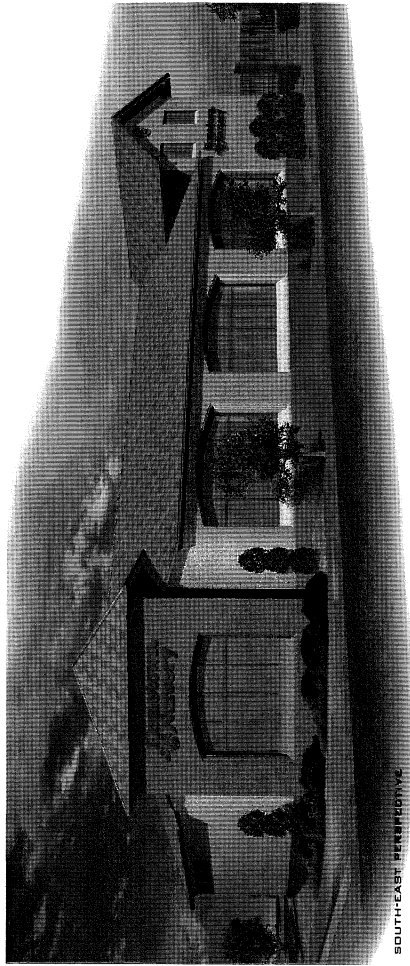
② ELEV. @ FENCE LINE



③ REVEAL @ CONC. FULL SIZE









NO.	DATE	BY	CHKD.
1	08/10/07	DR. D. R. BRYANT	DR. D. R. BRYANT
<b>FENCE DETAILS</b> <b>HOMETOWN NURSERY</b> 1111 W. 11TH ST. SUITE 100 P.O. BOX 1327 / AMAR, TEXAS 79121 OWNER: DR. D. R. BRYANT ARCHITECT: WICK BILMAN, 245 27th STREET, SUITE C, P.O. BOX 242, AMAR, TEXAS 79121 DRAWN BY: DR. D. R. BRYANT CHECKED BY: DR. D. R. BRYANT			

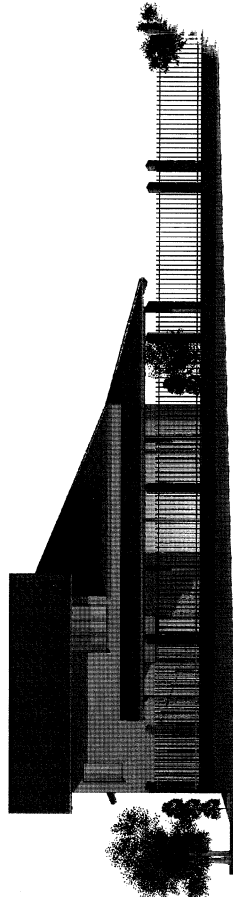
**Exhibit E**  
**Fence/Wall Details**  
**PD 07-007**  
**(Hometown Nursery)**



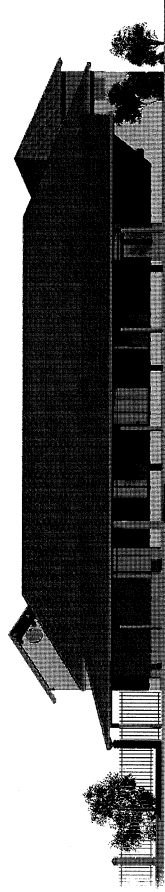
SOUTH-EAST PERSPECTIVE

**MATERIAL SPECIFICATIONS**

-  EAGLE ROOFING PRODUCTS
-  EAGLELITE - AMERICAN HEIRLOOM LHE8773, WALNUT CREEK BLEND
-  PAINTED STUCCO
-  SHERWIN-WILLIAMS SW 7710 BRANDYWINE
-  PAINTED STUCCO
-  SHERWIN-WILLIAMS SW 7677 GOLD VESSEL
-  METAL STORE FRONT SYSTEMS, WINDOWS AND METAL FENCING
-  KAWNEER PERMADIZED FINISH - CLASSIC COPPER - OR MATCHING



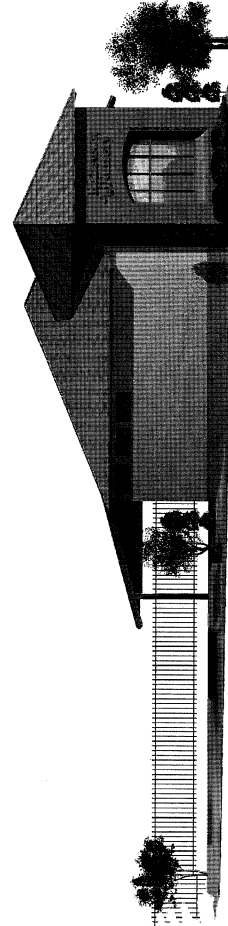
NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION

**PERSPECTIVE AND ELEVATIONS  
HOMETOWN NURSERY**

3RD AND SPRING STREET, PASO ROBLES, CA  
 PTN BLK 122 / APN #009-266-012  
 OWNER: DR. D. R. BRYANT  
 ARCHITECT: NICK GILMAN  
 945 1 2TH STREET, SUITE E, PASO ROBLES, CA  
 805.238.3432

**Exhibit F**  
**Color/Material Board**  
**PD 07-007**  
**(Hometown Nursery)**





**Exhibit G**  
Photo of Shade Sail  
PD 07-007  
(Hometown Nursery)

# **A & T ARBORISTS**

**P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131**



**Tree Preservation Plan  
For  
Home Town Nursery  
APN# 009-286-012  
Paso Robles, CA**

**June 26, 2007**

**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 # \_\_\_\_\_

**Exhibit H  
Arborist Report  
PD 07-007  
(Hometown Nursery)**

**Project Description:** This project involves the development of Home Town Nursery located between Spring Street and the Alley way and 2<sup>nd</sup> and 3<sup>rd</sup> Streets in Paso Robles, California. There is 32” diameter valley oak (*Quercus lobata*) tree located at the North West corner of the development. The subject tree has major soil compaction due to the alley way and the mobile home business. The development should help eliminate the compaction to the east side of the tree. The aesthetic value is good to excellent. The foliage and branching is normal. The canopy extends approximately 18-30 feet from the tree in all directions. **Disturbance within the critical root zone will not negatively impact the subject tree.**

**Specific Mitigations Pertaining to the Project:** There cannot be any additional fill placed under the tree. Excavating shall not be deeper than the original grade near the tree and shall be by hand. No heavy equipment is allowed on the original grade near the tree. The arborist shall be called out to inspect the hand excavation process to insure no equipment compaction is taking place on the original grade. Subject tree shall be pruned to remove excessive end weight; tree shall be treated with Bayer Advance to control the scale infestation, and cambistat growth regulator to assist the trees root system.

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.

The subject tree has been numbered and identified the grading plan. Tree protection fencing is shown on the grading plan. 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.

- 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. Chip Mulch:** All areas within the critical root zone of the trees that can be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.
- 6. 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.
- 7. 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. Depending on use within the CRZ, pavers may or may not be required.
- 8. Equipment Operation:** Vehicles and all heavy equipment shall not be driven on the tree's existing original grade, as this will contribute to soil compaction. This area is detailed on the plans. All areas behind fencing are off limits unless pre-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 (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
  - hand excavation of existing fill

- any other encroachment the arborist feels necessary

**11. Pre-Construction Meeting:** An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and the earth moving team shall be required for this project. Prior to final occupancy, a letter from the arborist(s) shall be required verifying the health/condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all grading and/or trenching activity that encroached into the critical root zone of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

**12. Landscape:** All landscape within the critical root zone shall consist of drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape contractor regarding this mitigation.

If all the above mitigation measures are followed, we feel there will be no long-term significant impacts to the valley oak tree.

Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez  
Certified Arborist #WC 0511



Chip Tamagni  
Certified Arborist #WE 6436-A

# A & T ARBORISTS

P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131



July 16, 2007

Daren Nash  
Associate Planner  
Community Development Dept.  
City of El Paso de Robles

Re; Addendum #1 encroachment within the critical root zone of 32" live oak tree alley way between 2<sup>nd</sup> and 3<sup>rd</sup>

Daren,

This addendum is to identify the encroachment impacts to the above mentioned native live oak tree.

The subject tree is located near the alley way easement please see photos #1 & #2, the alley way was previously paved many years ago so repaving the alley way for this project in my opinion will not negatively impact the native oak tree. In addition the existing lot has had mobile homes parked on decomposed granite within the CRZ, these mobile homes have added to the compaction within the CRZ.

There is a proposed trash collection area within the CRZ, as proposed will not impact the subject tree in fact will be less of an impact than the mobile home that exist presently. In discussion with Nick Gilman Architect, the development as proposed has no over-excavation or trenching within the CRZ, the only grading planned within the CRZ will be to smooth out the existing decomposed granite and two or three 12 inch peers for fence post.

In conclusion if the development is built as proposed and the mitigation measures are followed there will be no long term impacts to the native live oak tree. In fact this proposed development will change the current impacts for the better of the tree.

Steven G. Alvarez

A handwritten signature in black ink, appearing to read "Steven G. Alvarez".

Certified Arborist #WE-0511A

Photo #1 shows alley way between  
3rd & 2nd streets viewing south.

→ mobil home

→ subject fence

→ old pavement.







Photo #1<sub>2</sub> shows Alley way between 3<sup>rd</sup> & 2<sup>nd</sup> streets  
viewing north

**AFFIDAVIT**  
**OF MAIL NOTICES**  
**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Daniel Ross, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for PD 07-007 Hometown Nursery on this 10th day of July 2007.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed: \_\_\_\_\_



Daniel Ross

forms\mailaffi.691

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

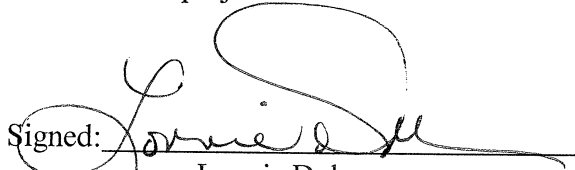
Newspaper: Tribune

Date of Publication: July 12, 2007

Meeting Date: July 24, 2007  
(Planning Commission)

Project: Planned Development 07-007  
(Bryant/Hometown Nursery)

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

forms\newsaffi.691

CITY OF EL PASO DE ROBLES  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider the following application:

**PD 07-007:** a development plan, filed by Nick Gilman on behalf of Dr. B.R. Bryant, to construct new facility for Hometown Nursery. The project would include the construction of a new 4,965 square foot building with outdoor nursery areas. The site is located on the west side of Spring Street, between 2nd and 3rd Streets.

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, July 24, 2007, at which time all interested parties may appear and be heard.

This application is Categorically Exempt from environmental review per Section 15332 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Comments on the proposed project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970.

The proposed project will be available for review at the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, on the Thursday before the scheduled date of this hearing.

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

Darren Nash, Associate Planner  
July 12, 2007 6608930