

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PLANNED DEVELOPMENT 06-021 & TENTATIVE TRACT 2716
APN: 025-441-041, 044 & 045 (APPLICANT: VISTA DEL HOMBRE, LLC)

DATE: OCTOBER 23, 2007

Needs: For the Planning Commission to consider the revised Vista del Hombre project submitted by Kirk Consulting on behalf of Vista Del Hombre, LLC – Kelly Gearhart.

Facts:

1. The original project was reviewed by the Planning Commission on August 14, 2007, where the Commission on a 4-2 vote (one vacancy) denied the project. The denial was based on the Planning Commission's finding that the project as designed and conditioned, could create traffic impacts on Dry Creek Road and Jardine Road which are not currently designed to handle traffic associated with this development.
2. On September 11, 2007, Kirk Consulting, on behalf of Gearhart Development submitted a modified project for Vista del Hombre (See Attachment 2, submittal letter). The modifications consist of the following:
 - a. Changed the phasing of the project to focus on Dry Creek Road improvements;
 - b. Eliminating access from the project to Jardine Road. A gate will be placed and only emergency vehicle access will be allowed for;
 - c. Prevent access from the project on Beacon Road;
3. John Falkenstien, City Engineer, reviewed the submittal and revised the conditions of approval of the project to reflect his comments and recommendations. John Falkenstien's memo (Attachment 3) discusses the specific timing and construction, as well as the request to waive the requirements for improvements on Jardine Road and Beacon Road.
4. 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. Based on the information and analysis contained in the Initial Study, a determination has been made that the Project qualifies for issuance of a Mitigated Negative Declaration.

**Analysis
and**

Conclusions: Public input at the Planning Commission hearing centered on traffic and neighborhood concerns that the project would negatively affect their private wells. The Commission's main project concern centered on traffic impacts and access improvements to Dry Creek Road.

The intent of the revised project is to take its main access from the extension of Aerotech Center Way, and discourage traffic on Jardine Road and Beacon Road. In addition, the revised project proposes significant improvement to Dry Creek Road up front with the development, where the original project deferred Dry Creek improvements to a future City road project. The attached memo from John Falkenstien describes the specific road improvements and timing of the improvements. (See attachment 3)

The site planning, architecture, landscaping and proposed uses of the buildings have not changed from the original project (except for the gate at Jardine Road for the original Golf Course driveway).

An environmental initial study was prepared to determine environmental impacts and ultimately the necessary mitigation measures required to mitigate the project impacts. The mitigation measures for the project relate to impacts to Kit Fox habitat, Air Quality, and Traffic impacts.

Dry Creek Road is relied upon to access the project. It is also a key link in the development of routes parallel to Highway 46E. Due to its existing poor condition, Dry Creek Road is under utilized and does not provide benefit to match its potential. Dry Creek Road is listed in the City's AB 1600 fee program. A comprehensive plan is needed to determine its ultimate alignment and cross-section. The development of Vista del Hombre should accomplish the adoption of this plan as well as completion of Dry Creek Road from Airport Road to Aerotech Way.

The project will impact the intersections of 46E-Airport Road, 46E-101 and the entire 46E corridor. The City intends to retain a consultant to study concepts for parallel routes and alternative access points to the highway. In the interim, the applicant may mitigate their impacts on the 46E corridor by applying their share of costs for improvements at 46E-Airport Road and 46E-101 to improving Dry Creek Road.

Caltrans has submitted a letter (Attachment 4) indicating their concern that the project Traffic Engineer did not use appropriate assumptions for trip generation for the project. The City has requested that the project Traffic Engineer respond to the Caltrans letter by providing a letter explaining how they developed the analysis in the traffic study, and how it complies with standard engineering practices. The letter will be provided to the Planning Commission as an addendum to this staff report.

A potential project related impact that was raised at the Planning Commission hearing by adjacent County residents was one of water supply. Many residents mentioned that their wells are running dry and feel that the proposed project will make the situation worse.

It's important to note that the project will be supplied with municipal water and will not be served by wells as is the Jardine neighborhood. Some County residents still felt that since a portion of the City's water supply is obtained from ground water, then the development could still have an impact on their wells.

While the City does rely on ground water to meet the Community and General Plan objectives, it's important to note that the City draws 4,000 acre feet annually from the basin which amounts to 4.2-percent of the total annual draw of 93,200 acre feet by other parties. It is also adopted City policy to pursue other reliable water supply options thereby, reducing the City's dependence on ground water. The City's active pursuit of Nacimiento Water is an example of the policy at work.

The proposed Vista del Hombre project, as conditioned, would be consistent with the Zoning and General Plan by providing clean attractive businesses and industries in which all activities are conducted indoors. The project would be consistent with the Economic Strategy since it could provide for a diversified range of specialty industry clusters, drawing on local advantages to serve the local and international markets.

Reference: Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance, 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. 1. Adopt the attached Resolution approving a Mitigated Negative Declaration for Planned Development 06-021 & Tentative Tract 2716;
- 2. Adopt the attached Resolution approving Planned Development 06-021, subject to standard and site specific conditions;

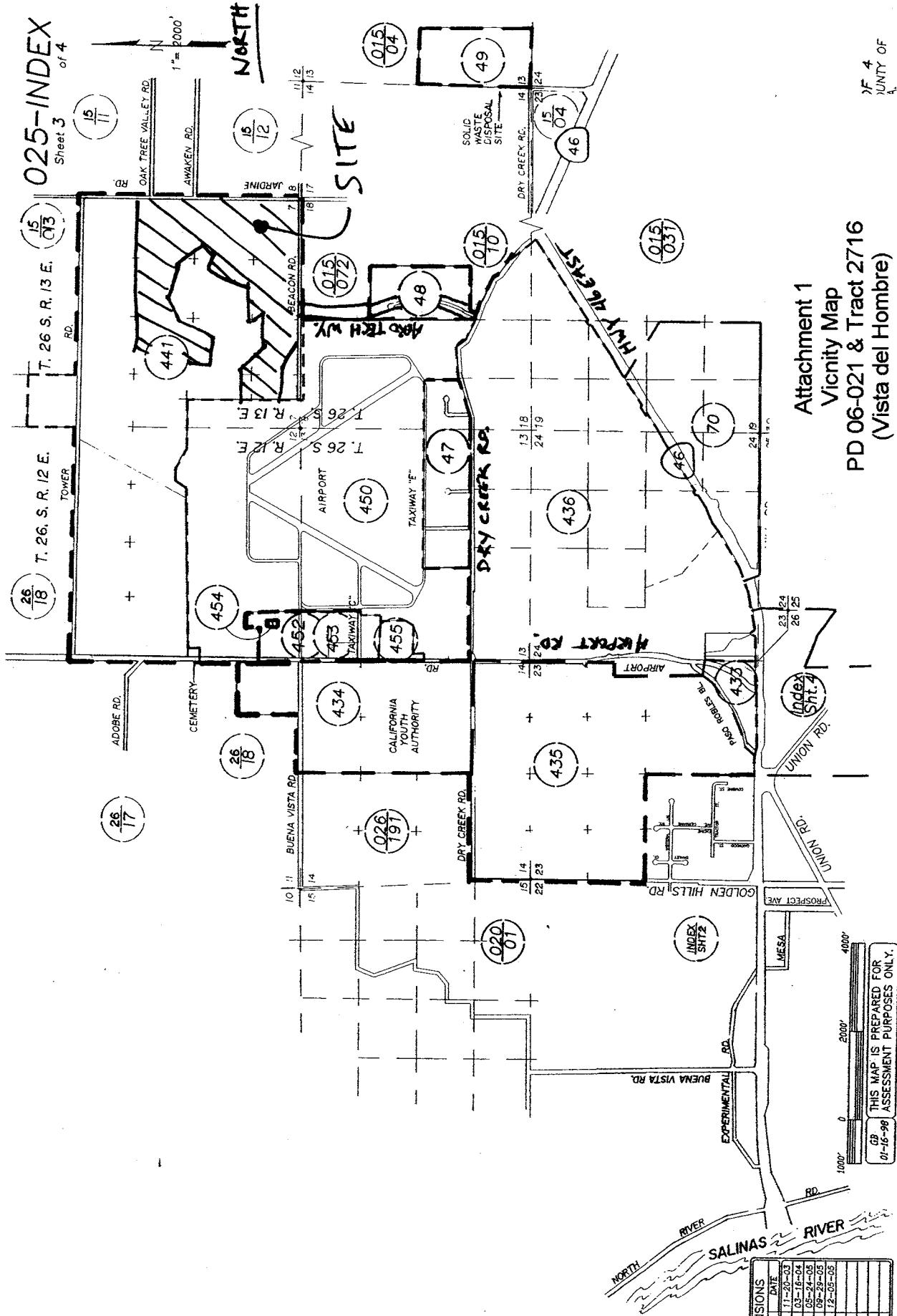
3. Adopt the attached Resolution approving Tentative Tract 2716, subject to standard and site specific conditions;
- b. Amend, modify, or reject the above-listed action;

Report prepared by: Darren Nash, Associate Planner

Attachments:

1. Vicinity Map
2. September 11, 2007 submittal Letter from Kirk Consulting (including Letter from Fehr & Peers)
3. City Engineer Memo
4. Caltrans letter dated October 3, 2007
5. Resolution to Approve a Mitigated Negative Declaration
6. Resolution to Approve the Planned Development 06-021
7. Resolution to Approve the Tentative Tract Map 2716
8. Newspaper and Mail Notice Affidavits

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Attachment 1
Vicinity Map
PD 06-021 & Tract 2716
(Vista del Hombre)

| REVISIONS | DATE |
|-----------|----------|
| 15 | 11-20-03 |
| 16 | 03-18-04 |
| 17 | 08-24-05 |
| 18 | 08-24-05 |
| 19 | 08-24-05 |
| 20 | 12-08-05 |



Letter of Transmittal

Date: September 11, 2007
To: Darren Nash, City of Paso Robles
From: Jamie Kirk
RE: The Links Project Revision

Paso Robles

SEP 11 2007

Planning Division

Darren,

Per our meeting on Tuesday August 28, 2007 we would like to return to the Planning Commission with a modified project description for the Links project. At the public hearing there was testimony from some of the neighbors in the Jardine area regarding the potential traffic impacts of the project. After the public hearing, we took another look at how access could be provided to the site with the least amount of impacts on the Jardine neighborhood and still maintain adequate circulation flow.

- The project changes include the following:
- Phasing Plan Amendment:
 - We are amending the Phasing Plan to have it focus on building square footage instead of lots.
 - Existing SF: +/- 28,000 Not a Part of the Phasing Plan
 - Phase 1: 50,000 SF
 - Phase 2: 50,000 SF
 - Phase 3: 54,000 SF
- The project will gate the existing access to Jardine from the Golf Course with an emergency access gate. The gate will include a 'knox box' and will be a 'crash gate' so that in the event of an emergence, safe egress will be available.
- We will abandon Beacon Road along our property frontage west on the intersection of Beacon Road and Aerotech Center Way. This will allow us to NOT connect Beacon Road to AeroTech Center Way. We can install a gate at the end of Beacon Road if grade separations are not sufficient for the separation.
- Aerotech Center Way will be improved to a 28 foot section.
- Dry Creek, from Airport to Aerotech Center Way will be improved consistent with the section identified on the revised plan.
- Waiver of Frontage Improvement Requirements:
 - We would like to request a waiver to the frontage improvements for Beacon and Jardine. Since we are not proposing to utilize those roads for the project access we would like to exclude the improvement

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Phone: 805-461-5765 Fax: 805-462-9466
Kirkconsulting@charter.net

Attachment 2
Letter from Kirk Consulting
PD 06-021 & Tent. Tract 2716
(Vista del Hombre)

requirements. The neighbors had concerns about the level of speed on those roads and any improvements will only exacerbate that current problem. In lieu of the frontage improvements to Beacon and Jardine Road we will redirect those funds to the Dry Creek road improvements. It should also be noted that by eliminating the existing golf course access to Jardine, +/- 160 trips will be re-directed to Dry-Creek. Traffic on Jardnie will be reduced with the revise project.

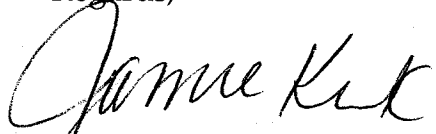
- Extension of Re-Imbursement Time Frames
 - Dry Creek Road Improvements and the Sewer Line Installation are reimbursable projects. The re-imbursement timeframe is typically 10 years however local agencies have the discretion to extend this time frame. Because the Airport area will likely build out over a 15- 30 year timeframe, we would like to request that the re-imbursement time frame be extended to 30 years

Because the improvements to Dry Creek Road and the extension of the sewer are substantial upfront capital costs and considering the design will need to be approved by City Council we are proposing the following phasing schedule:

Phase 1 and Phase 2: 100,000 SF - Aerotech Center Way improvements will be completed prior to occupancy of first phase. Phase one will be served by private on-site wastewater systems.

Phase 3: 54,320 SF- Sewer will be installed prior to occupancy of the first building of Phase 3 and any buildings served by a private wastewater system in Phase 1 and 2 will be required to abandon their systems and connect to the City sewer system. Dry Creek Road Improvements will be completed prior to occupancy of the first structure in Phase 3.

Regards,



Jamie Kirk

Kirk Consulting

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Paso Robles

SEP 11 2007

MEMORANDUM

Planning Division

Date: September 10, 2007

To: John Falkenstien, Darren Nash, and Ron Whisenand - City of Paso Robles
Kelly Gearhart - Gearhart Development

From: Norman Wong, P.E. and Nikki Hervol, Fehr & Peers

Subject: **Supplemental Operations Analysis for Links Industrial Project with Restricted Driveway Access from Jardine Road and Beacon Road**

SJ07-914

Fehr & Peers previously completed a Transportation Impact Analysis (TIA) for the *Links Industrial Project* (June, 2007), which assumed primary driveway access from Jardine Road and Beacon Road. Accordingly, project-generated trips were assigned to reflect a higher proportion of added traffic to the SR 46/Jardine Road intersection as compared to the SR 46/Airport Road intersection.

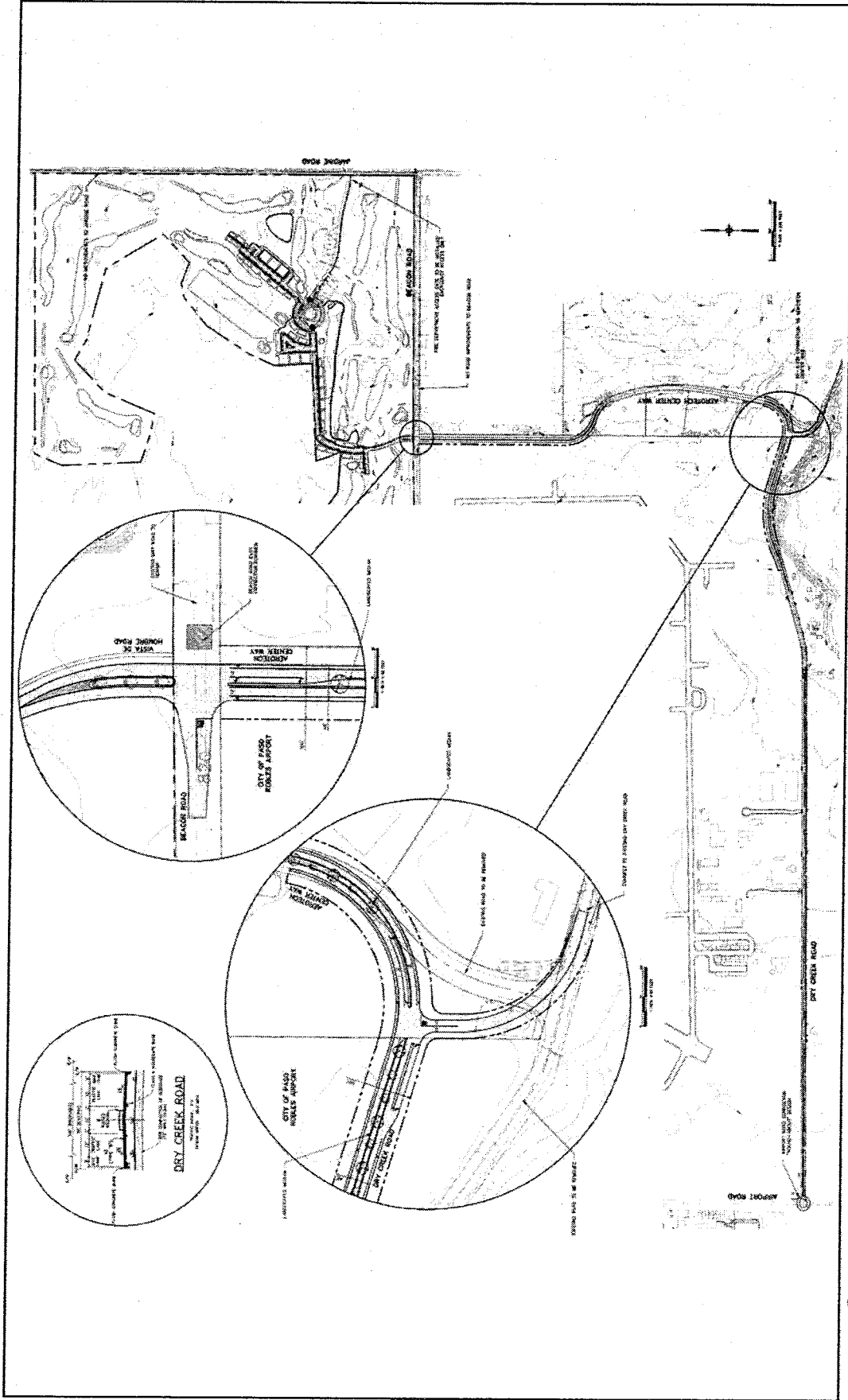
To address neighborhood concerns regarding project traffic on Jardine Road and on Beacon Road, the site plan has been revised to reflect primary access from Dry Creek Road with the extension of Aerotech Center Way. In addition, Dry Creek Road between Airport Road and Aerotech Center Way will be widened, and the Dry Creek Road/Aerotech Center Way intersection is proposed to be re-aligned to orient vehicles to and from Airport Road.

This memorandum presents the supplemental operations analysis at the intersections of SR 46/Airport Road and SR 46/Jardine Road with the revised site plan and the proposed improvements to Dry Creek Road. A preliminary evaluation of a roundabout at Airport Road/Dry Creek Road is also discussed.

REVISED SITE ACCESS AND DRY CREEK ROAD IMPROVEMENTS

Figure 1 presents a graphic of the proposed improvements on Aerotech Center Way and on Dry Creek Road. The revised roadway and site plan includes the following proposed changes:

- Extension of Aerotech Center Way to Dry Creek Road with no public connection to Beacon Road (Beacon Road will dead-end at Dry Creek Road and only emergency access will be provided).
- Realignment of the Dry Creek Road to align directly with Aerotech Center Way. The section of Dry Creek Road east of Aerotech Center Way will intersect this new alignment as a T-intersection with a stop sign. This alignment directs traffic to and from the west on Dry Creek Road towards Airport Road. Vehicles, traveling from Aerotech Center Way to Jardine Road, will be required to turn left at the re-configured intersection as shown on Figure 1.



Links TIA

SITE PLAN WITH DRY CREEK ROAD ACCESS ONLY

FIGURE 1



FEHR & PEERS
TRANSPORTATION CONSULTANTS

September 2007
SJ07-914

- Emergency vehicle access for the existing Jardine Road driveway serving the site. A physical deterrent such as, removable bollards or gates, will be installed to prevent public access from Jardine Road. Only emergency vehicles will be permitted to use the Jardine Road driveway.

With the above proposed improvements, project traffic will still be added to the SR 46 intersections of Airport Road and Jardine Road. However, no existing and future traffic from the site will travel on Jardine Road north of Dry Creek Road. The existing traffic generated by the golf course will be required to access the site from Aerotech Center Way. Thus, the existing residents on Jardine Road, north of Dry Creek Road, should see a reduction in traffic of approximately 1,000 daily trips to and from the golf course according to the project applicant.

SR 46 INTERSECTION LEVELS OF SERVICE

With Original Site Access Proposal (Maintain Existing Access from Jardine Road)

Table 1 presents the levels of service under Existing Plus Project Conditions at the SR 46 intersections at Airport Road and at Jardine Road with the original site access proposal. The addition of project traffic was estimated to further degrade unacceptable operations at both intersections.

As stated in our June 2007 TIA, the future widening of SR 46 to four lanes (from Airport Road east towards Shandon) will provide an additional lane of through capacity and add merging and deceleration lanes at these two SR 46 intersections. The merging and deceleration lanes will improve access to and from Airport Road and Jardine Road from SR 46. Figures 2 and 3 illustrate the draft improvements at both locations. With these planned improvements, the project impacts are mitigated to a less-than-significant level. Although delays at SR 46/Airport Road would still unacceptable, the delays with the project would be lower than Existing Conditions.

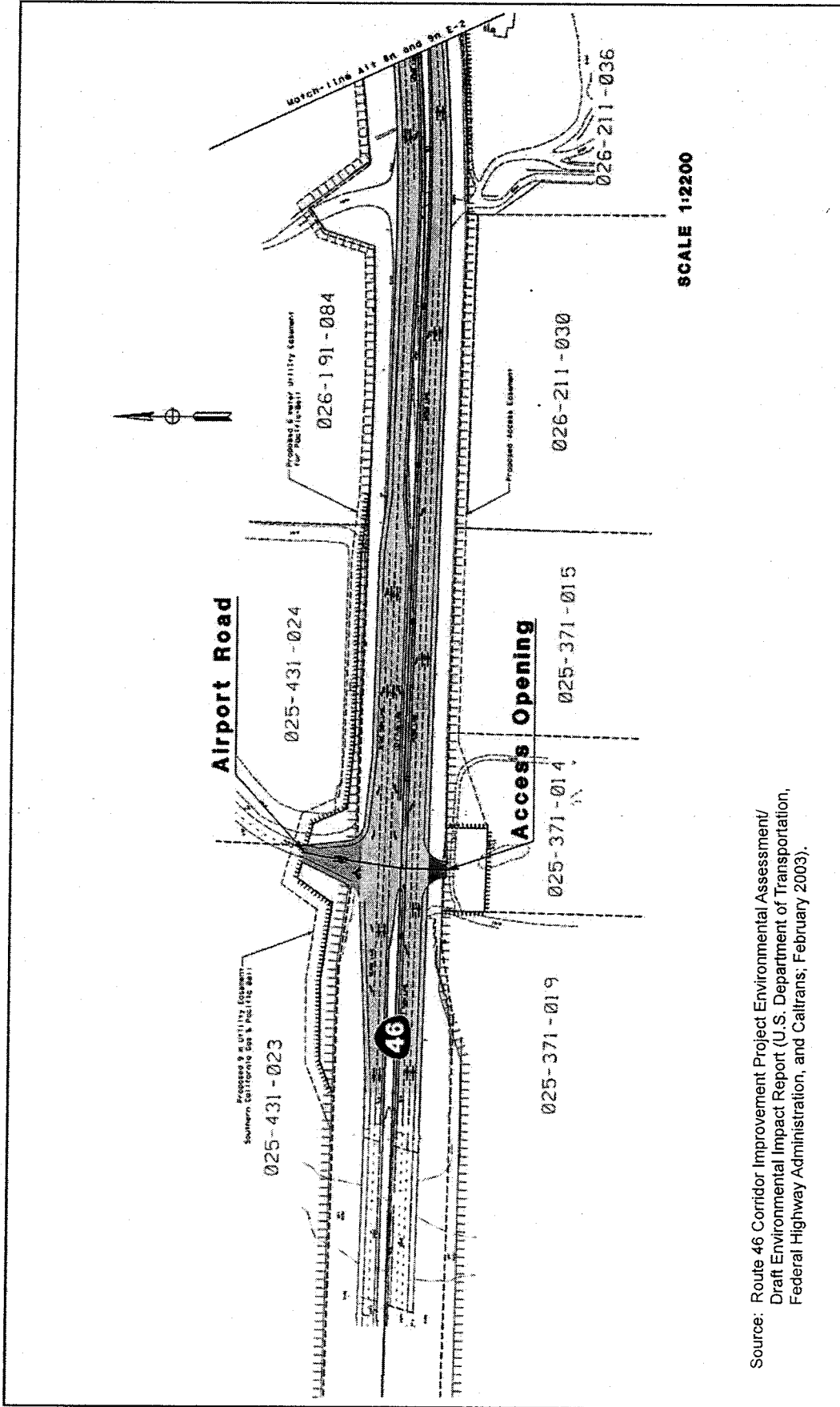
With Revised Site Access Proposal (Primary Access from Aerotech Center Way & Dry Creek Road)

Project Trip Reassignment

In the June 2007 TIA, 70% of project traffic was assumed to access the project site from SR 46 via Jardine Road with the remaining 30% expected to access the project site from Airport Road via Dry Creek Road and Aerotech Center Way. With the revised site access and Dry Creek Road re-alignment that will direct traffic towards Airport Road, the percentages were reversed. Thus, 70 percent was assigned to the Airport Road/SR 46 intersection and the remaining 30 percent was assigned to Jardine Road. The Jardine Road traffic would still be required to travel on Dry Creek Road to access Aerotech Center Way.

Intersection Levels of Service

As shown in Table 1, the mitigated delays under at the SR 46/Airport Road intersection would worsen due to increased traffic on Airport Road. However, the delay is still less than Existing Conditions thus resulting in a less-than-significant impact with the revised access configuration. The calculation sheets are provided in Attachment A. Level of service results are presented in Table 2.



Source: Route 46 Corridor Improvement Project Environmental Assessment/
 Draft Environmental Impact Report (U.S. Department of Transportation,
 Federal Highway Administration, and Caltrans, February 2003).



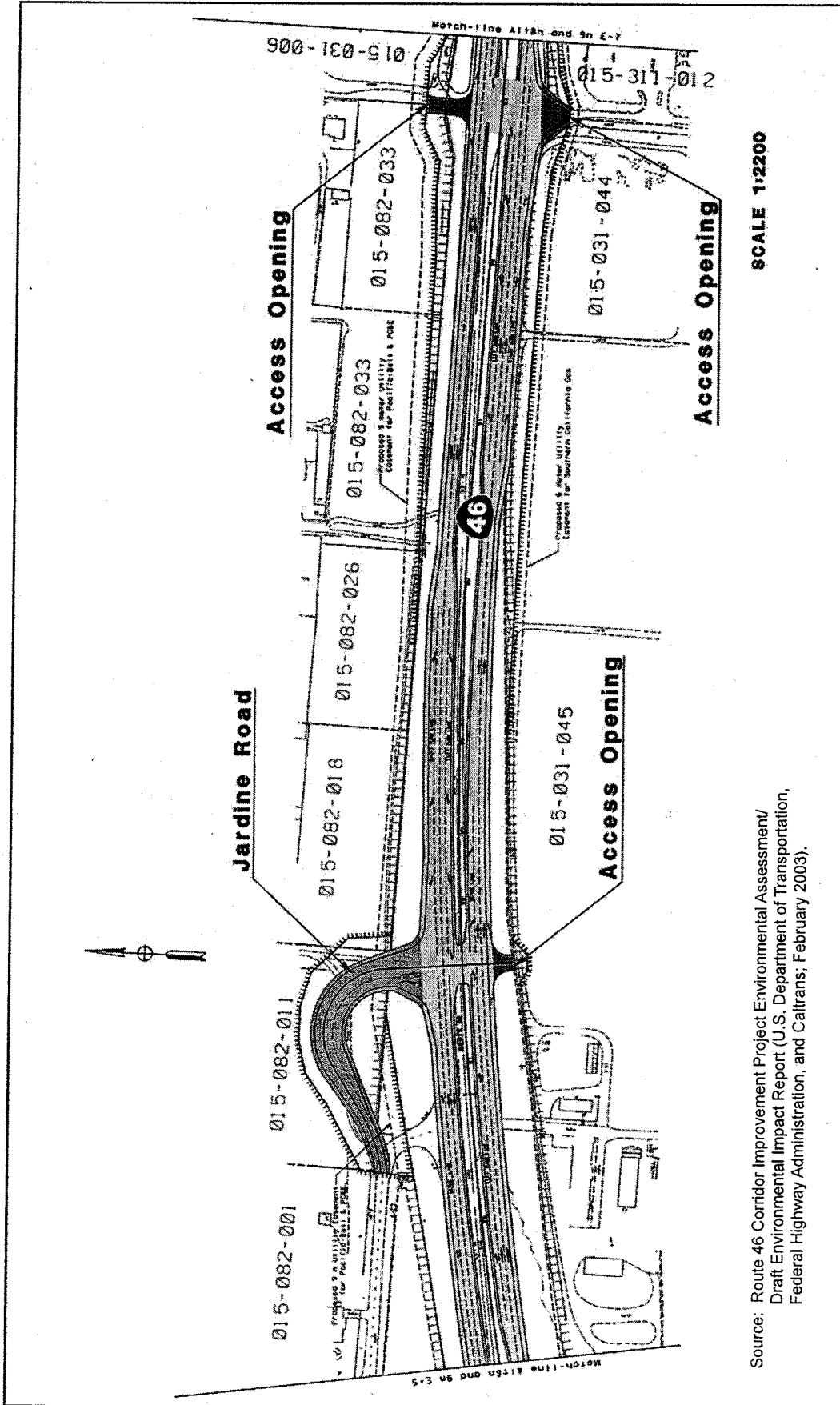
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September 2007
 SJ07-914

Links TIA

SR 46 / AIRPORT ROAD IMPROVEMENT

FIGURE 2



SCALE 1:2200

Source: Route 46 Corridor Improvement Project Environmental Assessment/
 Draft Environmental Impact Report (U.S. Department of Transportation,
 Federal Highway Administration, and Caltrans; February 2003).



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September 2007
 SJ07-914

Links TIA

SR 46 / JARDINE ROAD IMPROVEMENT

FIGURE 3



**TABLE 1
LEVELS OF SERVICE COMPARISON**

| Intersection | Peak Hour ¹ | Existing Conditions | | | Original Project Trip Assignment (70% Jardine/30% Airport) | | | Revised Project Trip Assignment (30% Jardine/70% Airport) | | | |
|------------------------|------------------------|---------------------|------------------|-------------------------------------|---|------------------|-------------------------------------|--|---|------------------|---|
| | | Delay ² | LOS ³ | Existing plus Project Conditions | Mitigated Existing plus Project Conditions ⁴ | | Existing plus Project Conditions | | Mitigated Existing plus Project Conditions ⁴ | | |
| | | | | | Delay ² | LOS ³ | Delay ² | LOS ³ | Delay ² | LOS ³ | |
| SR 46/ Airport Road | AM | 15.1 | C | 15.6 | C | 17.3 | C | 15.8 | C | 14.6 | B |
| | PM | 113.2 | F | 140.5 | F | 75.4 | F | 146.2 | F | 81.0 | F |
| | Friday PM | >150 | F | >150 | F | 91.8 | F | >150 | F | 125.8 | F |
| SR 46/ Jardine Road | AM | 35.4 | E | 37.5 | E | 16.5 | C | 36.4 | E | 17.6 | C |
| | PM | 99.8 | F | 116.7 | F | 19.6 | C | 115.1 | F | 19.5 | C |
| | Friday PM | >150 | F | >150 | F | 27.9 | D | >150 | F | 29.2 | D |

Notes:

- 1 AM = morning peak hour, PM = afternoon peak hour.
- 2 For side street stop controlled intersections, total control delay for the worst movement is presented using methodology described in the 2000 HCM.
- 3 LOS = Level of service. LOS calculations conducted using the TRAFFIX software.
- 4 Mitigation includes widening of SR 46 to 4-lanes. SR 46 widening will provide acceleration and deceleration lanes for the side-streets of Airport Road and Jardine Road. Widening of SR 46 east of Airport Road is expected to begin construction in 2008.

The revised site access proposal is not anticipated to change the conclusions of the Near-Term Cumulative or Cumulative Conditions analysis. Additional improvements (e.g., grade separation) at the SR 46/Airport Road intersection will be required to serve future traffic from pending projects and from regional growth in the corridor.

AIRPORT ROAD/DRY CREEK ROAD ROUNDABOUT EVALUATION

City of Paso Robles staff have requested a preliminary roundabout evaluation at the Airport Road/Dry Creek Road intersection. Roundabouts have several advantages over all-way or side-street stop controlled intersections. When roundabouts operate with volumes that are less than capacity, motorists typically experience less delay than at a traffic signal, all-way stop, or on the minor-street approach to a side-street stop controlled intersection. Roundabouts also reduce delays during off-peak hours as the approaches are yield-controlled instead of stop-controlled. Vehicle queues are also more tolerable to drivers, since vehicles must yield but are not required to stop if gaps are available. Roundabouts also reduce the number of conflict points in an intersection and force drivers to negotiate the roundabout at a slower speed, which lessens the prevalence and severity of collisions compared to other at-grade intersections.

Traffic Volumes

Existing intersection volumes at Airport Road and Dry Creek Road were obtained from the *Airport Road Business Park Traffic Analysis Report and Update (2005)*. Traffic from the proposed project and other approved and pending projects were added to the existing volumes to represent volumes under Existing Plus Project and Near-Term Cumulative Conditions.

Operations

Roundabout operations were evaluated using methods from the Federal Highway Administration (FHWA), *Roundabouts: An Informational Guide (2000)*, Transportation Research Board *Highway Capacity Manual (HCM) (2000)*, and the National Cooperative Highway Research Program (NCHRP) Report 572: *Roundabouts in the United States (2007)*.

All three methods discussed above (FHWA, HCM, and NCHRP) showed acceptable operating levels under Existing Plus Project and Near-Term Cumulative Conditions for both AM and PM peak hours.

Physical Constraints

The feasibility of constructing a roundabout at this location was evaluated considering existing right-of-way limitations. The northwest corner of this intersection is already been built out, with parking fronting both Airport Road and Dry Creek Road. The Airport Road Business Park is approved for the southwest corner of this intersection.

The existing alignment of Dry Creek Road is also offset at Airport Road, as the eastbound approach is located approximately 40 feet north of the westbound approach. The design of the roundabout will need to account for this offset and may require the center of the intersection to shift to the east to account for the existing and approved developments noted above.

CONCLUSIONS

As expected, the operating levels of SR 46/Airport Road intersection degrade with increased traffic due to the revised access proposal directing project traffic towards Airport Road instead of Jardine Road. However, the SR 46 Widening Project providing additional through capacity and operational enhancements will improve operating levels at both SR 46/Airport Road and SR 46/Jardine Road intersections. This results in better operations under Existing Plus Project Conditions than under Existing Conditions, and thereby still results in a less-than-significant impact. Additional improvements (e.g., grade separation) to the SR 46/Airport Road intersection will be required to serve future traffic from pending projects and from regional growth in the corridor.

Based on preliminary evaluation of near-term traffic volumes, a roundabout is considered feasible at the Airport Road/Dry Creek Road intersection. However, a detailed evaluation of right-of-way constraints and a more in-depth operational analysis is recommended before selecting a roundabout as the preferred traffic control device at this location.



DESIGN GROUP, INC.
CIVIL ENGINEERING
PLANNING
SURVEYING & MAPPING

PROJECT LOCATION
VISTA DE NOMBRE
AT THE LINKS
GOLF COURSE IN
PASO ROBLES, CA

PROJECT NUMBER
APN

DATE: 06/27/07
DRAWN BY: JAC
CHECKED BY: JAC
DESIGNED BY: JAC

DRY CREEK ROAD
EXTENSION

EX 1.0

NO ROAD APPROPRIATE TO BEACON ROAD
FIRE DEPARTMENT ACCESSIBLE TO BEACON ROAD
LANDSCAPED MEDIAN

NO ROAD APPROPRIATE TO BEACON ROAD
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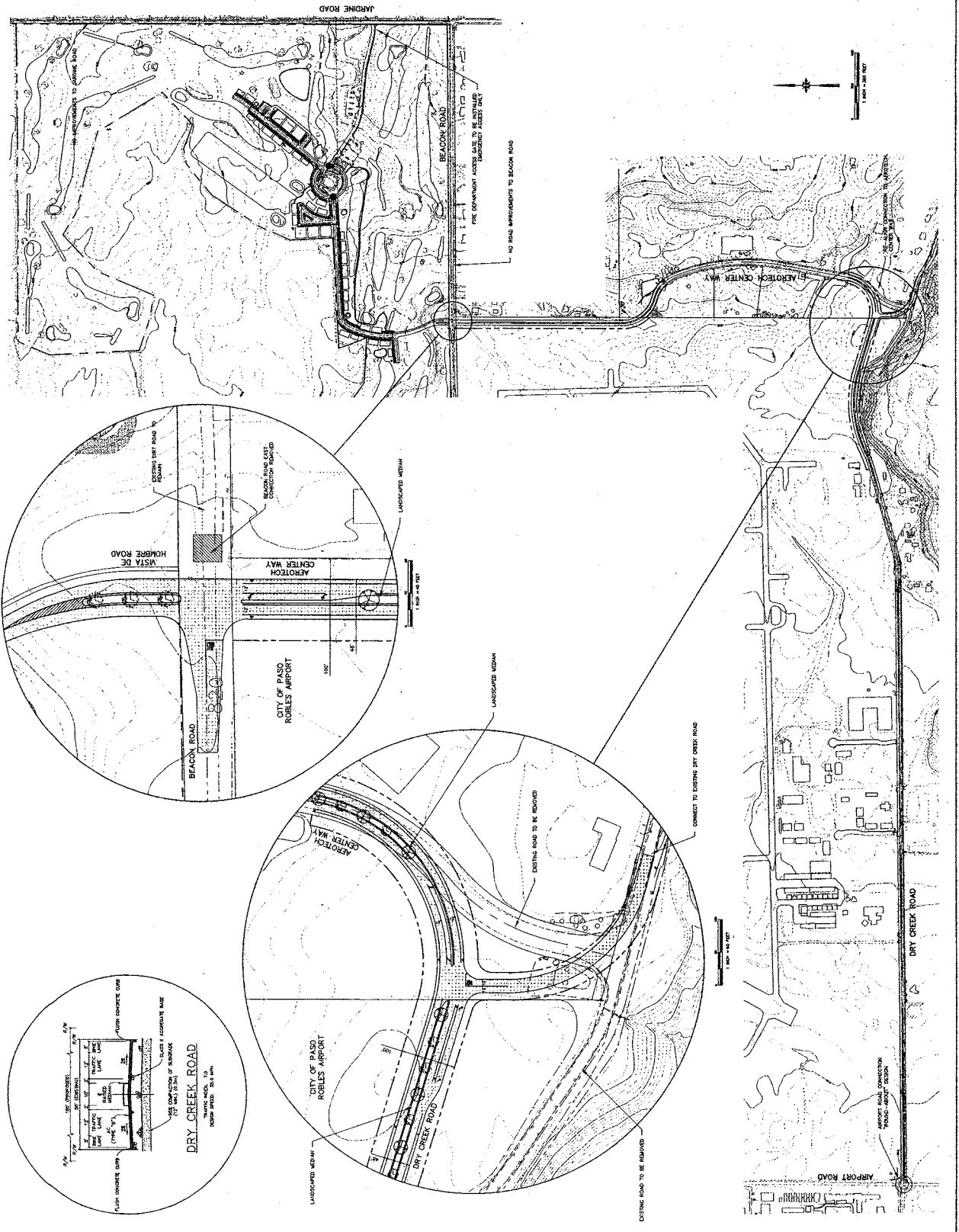
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FIRE DEPARTMENT ACCESSIBLE TO BEACON ROAD
LANDSCAPED MEDIAN



MEMORANDUM

TO: Darren Nash

FROM: John Falkenstien

SUBJECT: PD 06-021, Tract 2716
Gearhart, Jardine and Beacon Roads

DATE: Revised 10-16-07

Streets

The subject property fronts on Jardine and Beacon Roads. In accordance with the Municipal Code, streets are typically improved with curbs, sidewalks and paving with adjacent land development. The applicant has requested a waiver of improvements to Jardine and Beacon Roads.

The basis for the waiver request is that both streets front unincorporated areas of the County and their improvement would have limited value to the City. County neighbors have expressed concerns regarding increased traffic and speeding associated with project traffic and the new improvements. The applicant proposes to eliminate project access to and from Jardine and Beacon Roads and to apply the improvement costs on Dry Creek Road.

The main entrance to the project will be located at the northerly extension of Aerotech Way. Aerotech Way is accessed from Dry Creek Road. Dry Creek Road is classified as an arterial street. Aerotech Way is classified as a local street.

Aerotech Way was originally constructed in accordance with City Rural Street Standard A-7. The proposed extension of Aerotech Way is consistent with the Airport Land Use Master Plan. Extension of the road generally in accordance with standard A-7 (28-foot paved section with wide based shoulders) would be appropriate. Flush curbs and bio-swales should be incorporated into the design.

Dry Creek Road is relied upon to access the project. It is also a key link in the development of routes parallel to Highway 46E. Due to its existing poor condition, Dry Creek Road is under utilized and does not provide benefit to match its potential. Dry Creek Road is listed in the City's AB 1600 fee program. A comprehensive plan is needed to determine its ultimate alignment and cross-section. The development of Tract 2716 should accomplish the adoption of this plan as well as completion of Dry Creek Road from Airport Road to Aerotech Way.

The project will impact the intersections of 46E-Airport Road, 46E-101 and the entire 46E corridor. The City intends to retain a consultant to study concepts for parallel routes and alternative access points to the highway. In the interim, the applicant may mitigate their impacts on the 46E corridor by applying their share of costs for improvements at 46E-Airport Road and 46E-101 to improving Dry Creek Road.

Sewer

Currently, there is no sewer available to the property. The applicant will be required to extend the sewer in Dry Creek Road and Aerotech Way to the serve his development. Developed properties along Dry Creek Road are obligated to participate and connect.

Water

The nearest City water source is the well located on Aerotech Way. The applicant is currently constructing an extension of a 12-inch water main from the well to the subject property for use by the new golf course club house. A looped system of water mains will be required by the Emergency Services Department.

Storm Water Quality

The City is obligated under their Phase II Municipal Storm Water permit with the Regional Water Quality Control Board to require that this project be developed in accordance with Best Management Practices to mitigate impacts to the quality of storm water run-off and to limit the increase in the rate and volume of storm water run-off to the maximum extent possible. These goals are accomplished by the implementation of Low Impact Development. Low Impact Development uses certain technology-based practices to ensure that a site's post-development hydrologic functions mimic those in its pre-development state.

Recommended Site Specific Conditions

Prior to occupancy of any unit, Dry Creek Road will be improved from Airport Road to Aerotech Way in accordance with conceptual plans approved by City Council and construction documents approved by the City Engineer.

- The project will include a modern roundabout to create a new intersection of Airport Road and Dry Creek Road southeast of its existing location.
- The project will modify the intersection of Dry Creek Road and Aerotech Way in accordance with the applicant's presentation.
- The plans will incorporate low impact development design techniques.

Improvements to Beacon Road and Jardine Road along the project frontage will be waived. The estimated cost of these improvements will be applied to the reconstruction of Dry Creek Road.

Prior to occupancy of any unit, Aerotech Way shall be extended from its northerly terminus to the project in accordance with plans approved by the City Engineer (28-foot paved width). Low impact development practices shall be incorporated into the design. A 60-foot wide irrevocable and perpetual offer of dedication to the public shall be provided for Aerotech Way. If the offer of dedication cannot be obtained across the property located between the City Airport and the existing location of Aerotech Way; the applicant will extend a public road along the east boundary of the airport, in accordance with the specifications noted above, from Beacon Road to Dry Creek Road.

The applicant shall apply their share of improvements to the intersections of State Highways 101-46E and 101-Airport Road to the Dry Creek Road project.

Prior to occupancy of any unit, the project shall be connected to City sewer.

Prior to occupancy of any unit, Tract 2716 shall be connected to City water and each new lot, or individually owned unit, shall have its own individual water meter.

The project design and construction shall incorporate Low Impact Development best management practices to mitigate the impacts on quality, quantity and rate of discharge of storm water run-off from the site.

DEPARTMENT OF TRANSPORTATION

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SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3111
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TDD (805) 549-3259
<http://www.dot.gov/dist05>

Paso Robles**OCT 05 2007****Planning Division**

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October 3, 2007

SLO – 46 PM 34.64

Darren Nash, Associate Planner
City of Paso Robles
Community Development Department
1000 Spring Street
Paso Robles, CA 93446

Dear Mr. Nash;

RE: Comments on the Revised Initial Study and Traffic Impact Study for the Gearhart (Vista Del Hombre) Commercial/Light Industrial Development - PD 07-021 & Tract 2716

General comments and background

This letter is being submitted to offer Caltrans' second round of comments for the documenting of traffic impacts on State highway facilities, generated by the proposed Gearhart Commercial/Light Industrial project. References will be made in rebuttal to a memorandum dated August 14, 2007, prepared and sent by the applicant's traffic engineering consultant. The consultant's memorandum refuted many of our claims in our initial comment letter dated July 31, 2007.

Our initial comment letter and the Fehr & Peers (F&P) memorandum were included in the Staff Report presented as an agenda item for the August 14, 2007 Paso Robles Planning Commission Hearing. The Planning Commission voted 4-2 to deny the Vista Del Hombre (VDH), citing the neighbor's of VDH opposition to increases in new project generated traffic on Jardin Road.

Our July 31st comment letter included statements that indicated the first traffic study was deficient in part because the fundamental assumptions made for VDH's trip generation and trip distribution estimation, were in error. We continue to believe that the revised traffic study for this re-circulated Initial Study is deficient because the trip generation assumptions haven't changed and the new trip distribution assumptions, we believe, are erroneous despite new internal and external circulation modifications.

"Caltrans improves mobility across California"

Attachment 4
Caltrans Letter dated 10-3-07
PD 06-021 & Tent. Tract 2716
(Vista del Hombre)

Along with the fundamental traffic assumptions mentioned above, we also have issues with the traffic study not having been stamped and signed by a competent, "Responsible Charge" California Licensed Civil Engineer. The laws that govern the signing and sealing of civil, electrical, and mechanical engineering documents are contained in Business and Professions Code sections 6735, 6735.3, and 6735.4 and in Rule 411. These laws bear and permit the following, "All documents (interim and final) must bear the name and license number of the professional engineer in responsible charge. The final traffic study for the proposed VDH project needs to be stamped and signed by the professional engineer in responsible charge. The draft and final traffic study need to be stamped and signed accordingly - per State law and California professional engineering practices.

Below, please see our specific comments addressing the revised traffic study and the F&P August 14th memorandum refuting our assessment of their trip generation and trip distribution assignment assumptions. Also offered as an enclosure is the F&P, August 14th memorandum & accompanying email.

The revised VDH traffic study and our rebuttal to The Fehr & Peers August 14, 2007, memorandum, Issues regarding the validity of their trip generation and trip distribution for the Vista Del Hombre Proposed Development.

Trip Generation: The traffic consultants' August 14th memo offered an explanation of why they believe their trip generation estimates were initially correct based on a further explanation of an alternative trip generation methodology found in the Institute of Transportation Engineers ITE, *Trip Generation Handbook March 2001 (Handbook)*. In the F&P June 4th Final Traffic Study included in the Mitigated Negative Declaration (MND), the traffic consultants cited Table 8 on page 21 of the Institute of Transportation Engineers (ITE) *Trip Generation, 7th Edition*. The *Handbook* was not cited as a reference in the traffic study.

To justify their reasoning for estimating trip generation for VDH being 57 pm peak hour trips instead of our estimate of 151 pm peak hour trips, the traffic consultants use the fitted curve (regression equation) rather than the equation for average weighted rate because, as they claim, ITE recommends it. Furthermore, the consultants go on to argue, "the use of the regression equation occurs when the standard deviation is greater than 110% of the average rate and when there are more than 20 data points".

There is nothing in the *Handbook's* 8-step process that F&P are referring to that says in effect, use the regression equation when the standard deviation is greater than 110%. Nor is there language that instructs the analyst to default to the regression equation when there are more than 20 data points per data plot. These instructions are not in the *Handbook* procedures.

To the contrary, in step-5 of the 8-step process in the *Handbook* describing the procedures for selecting trip end (generation) rates, the following question is asked. “Is the standard deviation for the weighted average rate less than or equal to 110 percent of the weighted average rate (calculation: the standard deviation divided by weighted average rate less than or equal to 1.1)?

If the answer is yes, then one is supposed to go on to step-6, if the answer is no, then one is instructed to “collect local data and establish a local rate.” The standard deviation for the General Light Industrial found on page 101 of ITE is 1.16, and the weighted average is 0.98. The equation is as follows, $1.16/0.98 = \underline{1.18}$.

Hence, the standard deviation is 118% above the weighted average and therefore not less than or equal to 110%. This then doesn't apply as a reason for using the fitted curve (regression equation) for estimating trip ends.

Next in the procedure, step-6 asks the question; “Is the line that corresponds to the weighted average rate within the cluster of data points near the size of the development? Step-6 goes on to say, if (the answer) is yes, then, “use the weighted average rate.” The line representing the weighted average rate appears to bisect the middle of the cluster points representing the same size development. Therefore, according to step-6, the traffic study should use the weighted average rate for estimating trip ends.

Step-7 of the *Handbook's* procedure for selecting trip generation rates asks three questions. First question asks, are there at least 20 data points distributed in the plot? The answer to this is yes, (there are 26 data points). The second question asks, are there few erratic data points? The answer to this is yes (not many). The third question asks, is the line corresponding to the regression equation within the cluster of data points at the size of the development in question? The answer to this is yes. Step-7 goes on to say, if the answer to all of these is yes, then use the regression equation.

However, step-7 issues a caveat concerning the use of the regression equation here by saying, “The regression equation typically yields a line with a y-intercept. For an independent variable with a low value (i.e., near zero), the regression equation might produce a trip ends estimate that is illogical. In such a case, the analyst should use the weighted average trip rate to estimate trip ends.” It appears that this is the case for this particular development with this peak hour scenario. Therefore, the traffic study should use the weighted average rate to estimate trips ends according to this caveat in step-7.

Revised Trip Distribution

The revised traffic study indicates that VDH traffic will not utilize Jardin Road to access State Route 46 East (SR 46E). Now, VDH proposes to connect to Dry Creek Road via an extension of Aerotech Center Way north to intersect Beacon Road and the proposed development's driveway. VDH's proponents also offer the possibility of curtailing Beacon

Mr. Nash
October 3, 2007
Page 4

Road's connection to Jardin Road in order to lessen VDH's traffic impacts on that neighborhood road.

Page 3 of the revised traffic study states that with the direct connection from Dry Creek Road to VDH via Aerotech Center Way, now 70% of VDH traffic will use Airport Road to access SR 46E and the remaining 30% will utilize the SR 46E/Jardin Road Intersection.

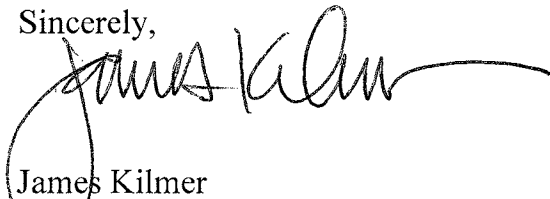
This, we believe, is counterintuitive to a typical motorist's driving behavior when they decide on a commuter route. It is not logical to expect a commuter to drive an extra 5 or so miles out of their way west to SR 46E via Airport Road when they could access SR 46E approximately 1 mile to the east at SR 46E/Jardin Road. Both intersections experience the same Level of Service (LOS) "F" at more than 150 seconds of delay during the Friday pm peak hour. A more logical trip distribution of the 151 VDH pm peak hour trips would be around 90% heading east from Aerotech Center Way to Jardin Road in order to access SR 46E. This would account for approximately 136 VDH's pm peak hour trips additionally utilizing the SR 46E/Jardin Road Intersection.

It is not within Caltrans' purview to comment the traffic impacts created by VDH's connections to local roads at the existing Links Driveway at Jardin Road and the intersection of Beacon Street and Jardin Road. But it continues to be Caltrans' position that approximately 136 VDH pm peak hour trips will ultimately end up using Jardin Road to access SR 46E. This is an impact that needs to be acknowledged and mitigation offered if needed.

Summary

Caltrans still contends that the VDH proposed development will generate 151 pm peak hour trips with approximately 90% of those trips distributed to (heading for) the SR 46E/Jardin Road Intersection. Also, the revised draft and final traffic study included in the Initial Study needs to be stamped and signed by a Responsible Charge, California Licensed Civil Engineer.

Sincerely,



James Kilmer
District 5
Development Review/CEQA Coordination

C: Joy Sprague – Neighborhood Concern Group

RESOLUTION NO:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR
PD 06-021 AND TENTATIVE TRACT MAP 2716
5151 JARDINE ROAD, APN 025-441-041, 044 & 045
APPLICANT – VISTA DEL HOMBRE - GEARHART

WHEREAS, Planned Development 06-021 has been filed by Kirk Consulting on behalf of Vista Del Hombre, LLC – Kelly Gearhart, to construct a 154,340 square foot manufacturing/light-industrial complex at the Links Golf Course located at 5151 Jardine Road; and

WHEREAS, the 210 acre site is zoned AP-PD (Airport, Planned Development Overlay), and has a General Plan designation of BP, (Business Park); and

WHEREAS, in conjunction with PD 06-021, the applicant has submitted Tentative Tract 2716, which would subdivide the property into 39 separate lots; and

WHEREAS, the original project was reviewed by the Planning Commission on August 14, 2007, where the Commission on a 4-2 vote (one vacancy) denied the project, the denial was based on the Planning Commission's finding that the project as designed and conditioned, could create traffic impacts on Dry Creek Road and Jardine Road which are not currently designed to handle traffic associated with this development; and

WHEREAS, on September 11, 2007, Kirk Consulting, on behalf of Gearhart Development submitted a modified project for Vista del Hombre, the modifications consist of the following:

- a. Changed the phasing of the project to focus on Dry Creek Road improvements;
- b. Eliminating access from the project to Jardine Road. A gate will be placed and only emergency vehicle access will be allowed for;
- c. Prevent access from the project on Beacon Road;

and;

WHEREAS, the City Council of the City of El Paso de Robles adopted an updated General Plan in December 2003; and

WHEREAS, this project as described above, is consistent with the General Plan; and

WHEREAS, the General Plan Environmental Impact Report (EIR) considered and evaluated potential impacts that may result from implementation of the General Plan, and includes mitigation measures as appropriate; and

WHEREAS, the proposed development is in compliance with the land uses permitted and applicable development standards and regulations, in the Zoning Ordinance and General Plan; and

WHEREAS, an Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) to evaluate whether this project would result in environmental impacts, and the City has determined that this project, which is a legislative amendment, will not result in significant environmental impacts if mitigation measures included with the Initial Study that establish the scope of issues for any future development of this property, in addition to project specific development impacts are applied; 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 and a Draft Negative Declaration was prepared and circulated for public review and comment; and

WHEREAS, Public Notice of the proposed Draft Negative Declaration was posted as required by Section 21092 of the Public Resources Code; and

WHEREAS, a public hearing was conducted by the Planning Commission on October 23, 2007, to consider the Initial Study, the proposed Mitigated Negative Declaration prepared for the proposed project, and to accept public testimony on the Development Plan, and Tentative Tract Map, and environmental determination; and

WHEREAS, based on the information contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the Planning Commission finds no substantial evidence that there would be a significant impact on the environment based on the Mitigation Agreement (on-file) and mitigation measures described in the initial study and contained in the resolution approving PD 06-021 as site specific conditions summarized below.

| Topic of Mitigation | Condition # |
|----------------------|-------------|
| Air Quality | 8 |
| Biological (Kit Fox) | 9 |
| Traffic | 10, 11 & 12 |

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, based on its independent judgment, does hereby adopt a Mitigated Negative Declaration for PD 06-021 and Tentative Parcel Tract 2716 in accordance with the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA.

PASSED AND ADOPTED THIS 23rd day of October, 2007 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN MARGARET HOLSTINE

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

**CITY OF PASO ROBLES – PLANNING DIVISION
INITIAL STUDY (revised Sept, 20, 2007)**

1. GENERAL PROJECT INFORMATION

PROJECT TITLE: VISTA DEL HOMBRE (PD 06-021 & TENTATIVE TRACT 2716)

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

Contact: Darren Nash, Associate Planner
Telephone: (805) 237-3970

PROJECT LOCATION: 5151 Jardine Road, Paso Robles, California
(APN 025-441-041, 044 & 045)

PROJECT PROPONENT: Applicant: Vista del Hombre, LLC
6205 Alcantara Ave.
Atascadero, CA 93422
Representative: Kirk Consulting

**LEAD AGENCY CONTACT/
INITIAL STUDY PREPARED BY:** Darren Nash, Associate Planner

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

GENERAL PLAN DESIGNATION: Business Park (BP), within the Airport Area Overlay

ZONING: AP-PD (Airport, Planned Development Overlay)

2. PROJECT DESCRIPTION

Request to construct 154,340 square feet of manufacturing/light-industrial uses with a total of 32 separate buildings. Within the 154,340 square feet, there is proposed to be some support commercial and office uses included in the project. The buildings with associated parking, access and landscape areas would develop approximately 14-acres of the existing 210 acre Links Golf Course. A subdivision is also being requested so that each building would be located on a separate parcel. In conjunction with the project, the applicant will be extending the existing Aero Tech Center Way public road to the north to access the project. This would be the main access point to the project. The existing Links Golf Course will remain in operation with the development of this project.

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).

The Mitigated Negative Declaration was approved by the City of Paso Robles Planning Commission for the original Link's Golf Course (PD 94003 & CUP 94-005), via Resolution 94-035.

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

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).

Initial Study-Page 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.

“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.

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).

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.

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.

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.

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.

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 checked="" type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population & Housing | <input checked="" 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 checked="" 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: _____

September 20, 2007

Darren Nash, Associate Planner

10 Environmental Checklist Form

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

I. LAND USE AND PLANNING. Would the Proposal:

Formatted: Bullets and Numbering

- a) Conflict with general plan designation or zoning?
(Sources: 1 & 8)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Manufacturing, Light-industrial, Commercial and Office land uses are permitted uses in the BP Land Use category and in the AP Zoning district. Therefore, the proposed development would not conflict with the existing General Plan and Zoning applied to this property.

- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?
(Sources: 1 & 3)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

Discussion: The proposed manufacturing/light industrial project with office and commercial uses are complementary to the existing Links Golf Course. These type of uses are anticipated with the Business Park land use and the Airport zoning designations.

There are existing residences adjacent to the along the south side of Beacon Road and on the east side of Jardine Road. The proposed project is centrally located near the center of the Golf Course, where there are a few buildings that are approximately 600 feet away from home. Most of the proposed buildings would be at least 1,000 feet away from the homes.

The land between the existing homes and the new project would continue to operate as a Golf Course and physically the portions of the site adjacent to Jardine Road and Beacon Road will not change.

Based on the significant distance of the proposed development to the existing residences, and the fact that physically the existing golf course along the roads will remain un-changed, the proposed project result in less than significant impacts to the exiting residential land uses.

It is anticipated that the proposed project would provide the possibility for job opportunities as well as provide some goods and services for the residents in the vicinity of the project.

Additionally, traffic generated by this project would primarily use the extension of Aero Tech Center Way, and not result in significant traffic impacts to the surrounding land uses in the vicinity.

- d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible uses)?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The site is not used for agricultural purposes. Thus, there would not be significant impacts to agricultural resources or operations.

- e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?
(Sources: 1 & 3)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <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: The project will not disrupt or divide the established community.

II. POPULATION AND HOUSING. Would the proposal:

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

Discussion: The proposed 154,430 square foot manufacturing/light-industrial project is not providing any residential uses, and would therefore not result in impacts to 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: This project will be extending water services to the site to serve the project, but since the residential properties to the east and south are in the County, it is not anticipated that this project will induce substantial growth. The rest of the surrounding properties are the Airport area, vineyards and other AP zoned properties.

- c) Displace existing housing, especially affordable housing? (Sources: 1, 3, & 5)

Discussion: There is no housing on the project site, therefore, no housing would be displaced with this project.

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

10 Environmental Checklist Form

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

active or potentially active faults.

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

Discussion: Per the General Plan EIR, the project site is located in an area with soil conditions that have a potential for liquefaction or other type of ground failure due to seismic events due to soil conditions. The EIR identifies measures to reduce this potential impact, which will be incorporated into this project. This includes a requirement to conduct a site-specific analysis of liquefaction potential. Based on analysis results, the project design and construction will include specific design requirements to reduce the potential impacts on structures due to liquefaction to a less than significant level.

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

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

Discussion: d. and e. The project site is not located near bodies of water or volcanic hazards, nor is the site located in an area subject to landslides or mudflows.

- f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: 1, 2, 3, & 4)

Discussion: The project site is relatively flat and therefore there will not be a significant amount of grading. As such, no significant impacts are anticipated.

- Subsidence of the land? (Sources: 1, 2, & 3)

Discussion: See Item c.

- h) Expansive soils? (Sources: 4)

Discussion: Per the General Plan EIR, Paso Robles is an area that has moderately expansive soils. This issue will be addressed through implementation of appropriate soil preparation as determined necessary by recommendations of site specific soils report. Therefore, impacts related to expansive soils will be less than significant.

- i) Unique geologic or physical features? (Sources: 1 & 3)

Discussion: There are no unique geologic or physical features on or near the project site.

IV. WATER. Would the proposal result in:

10 Environmental Checklist Form

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

- a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Sources:1, 3, & 7)

Discussion: The project includes structures and parking lots which will increase the amount of surface runoff and decrease absorption rates. However, site drainage will be conveyed to an on-site detention basin.

- b) Exposure of people or property to water related hazards such as flooding? (Sources: 1, 3, & 7)

Discussion: There is no potential to expose people or property to water related hazards due to this project since it is not in or near a flood zone.

- c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)? (Sources: 1, 3, & 7)

Discussion: The volume of discharge that may result from this project could not be of a quantity to alter water quality in terms of temperature, dissolved oxygen or create significant turbidity.

- d) Changes in the amount of surface water in any water body? (Sources: 1, 3, & 7)

Discussion: There are a few ponds on site that were created with the existing golf course for irrigation purposes. Besides the addition of drainage facilities including detention basins, there would not be a significant impact to surface water or water body.

- e) Changes in currents, or the course or direction of water movement? (Sources: 1, 3, & 7)

Discussion: This project could not result in changes in currents or water movement since it is not large enough to significantly affect changes in currents, or the course or direction of water movement.

- 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)

Discussion: Build-out of the City is anticipated in the General Plan and evaluated in the GP EIR. This project is in compliance with build-out scenario and anticipated impacts to water demand. The project will implement water conservation measures through use of water conservation landscape and irrigation measures, building fixtures, and development impact fees which will help pay for the City to obtain new water resources. The project will not make any direct additions or withdrawals or result in substantial loss of ground water.

With the construction of Club House for the Links Golf Course a new water line will be extended to the site. The line has been sized to accommodate the Vista Del Hombre project.

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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- g) Altered direction or rate of flow of groundwater? (Sources: 1, 3, & 7)

Discussion: This project could not result in alterations to the direction or rate of groundwater flow since this project does not directly extract groundwater or otherwise affect these resources.

- h) Impacts to groundwater quality? (Sources: 1, 3, & 7)

Discussion: The project will not affect groundwater quality since this project does not directly extract groundwater or otherwise affect these resources, and the proposed uses do not utilize construction materials or methods that would result in reduced groundwater quality. This project will not change existing water quality from discharging in surface waters with implementation of standard storm water discharge infrastructure that is in compliance with the National Pollution Discharge Elimination System (NPDES) requirements.

- i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? (Sources: 1, 3, & 7)

Discussion: Refer to response f.

V. AIR QUALITY. Would the proposal:

- a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Sources: 11)

Discussion: The project has been reviewed by the County of San Luis Obispo Air Pollution Control District (APCD). The City received a letter on June 29, 2007 outlining the impacts the project will have related to air quality issues.

The APCD recommended various mitigation measures necessary to reduce impacts to a less than significant level. The mitigation measures provides mitigations for both construction phase and the on-going operational phase of the project.

The construction phase mitigations relate to asbestos in existing utility lines, dust control measures and permit requirements for portable equipment.

The operational phase mitigation includes standard site amenities such as bike racks, lockers, car pool parking and food services.

The APCD letter is provided in Attachment 1 to this Initial Study. The specific mitigation measures will be added as conditions of approval to the Resolution approving Planned Development 06-021.

- b) Expose sensitive receptors to pollutants? (Sources: 1, 3, & 7)

Discussion: There are no sensitive receptors such as schools, hospitals, etc. within the near vicinity that could be impacted by this project.

10 Environmental Checklist Form

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- c) Alter air movement, moisture, or temperature?
(Sources: 1, 3, & 7)

Discussion: This project does not have the potential to significantly alter air movement, moisture, or temperature since the project incorporates parking lot and periphery shade trees to help cool site temperatures. This will reduce potential changes to moisture or temperature to less than significant levels.

- d) Create objectionable odors?

Discussion: This project does not have the potential to create objectionable odors since the future uses (offices, storage and other business park uses) do not generally create odors.

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

- a) Increased vehicle trips or traffic congestion?
(Sources: 1, 3, & 15)

Discussion:

A Traffic Study was prepared for the project by Fehr & Peers, Transportation Consultants dated June 14, 2007 with a supplemental analysis dated September 10, 2007. The study concludes that the proposed 154,340 square foot project would generate 1,048 net new daily trips, 92 net new AM peak-hour trips, and 57 net new PM peak-hour trips. The project site is estimated to generate the same number of trips during the Friday peak-hour as the typical weekday PM peak-hour.

The project includes the extension of Aerotech Center Way, which would be the main entrance into the project. By having Aerotech Center Way as the main entrance, it would seem that the traffic to and from the project would have less of an impact on the Jardine Rd./SR 46 intersection as well as Jardine Road and Beacon Road.

The project will impact the intersections of 46E-Airport Road, 46E-101 and the entire 46E corridor. The City intends to retain a consultant to study concepts for parallel routes and alternative access points to the highway. The applicant should contribute to projects that will augment parallel routes with Highway 46 East. The applicant may mitigate their impacts on the 46E corridor by applying their share of costs for improvements at 46E-Airport Road and 46E-101 to improving Dry Creek Road.

The operating levels of SR 46/Airport Road intersection degrade with increased traffic due to the revised access proposal directing project traffic towards Airport Road instead of Jardine Road. However, the SR 46 Widening Project will provide additional through capacity and operational enhancements will improve operating levels at both SR 46/Airport Road and SR 46/Jardine Road intersections. This results in better operations under Existing Plus Project Conditions under Existing Conditions, and thereby results in a less than significant impact. Additional improvements (e.g. grade separation) to the SR 46/Airport Road intersection will eventually serve future traffic from pending projects and from regional growth in the corridor.

The Traffic Study, along with input by the City Engineer recommend the following mitigation measures for the projects cumulative impacts to reduce the impacts of the increase in vehicle trips created by the project, to a less than a significant impact:

T-1: Dry Creek Road will be improved from Airport Road to Aerotech Center Way in accordance with conceptual

10 Environmental Checklist Form

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

plans approved by City Council and construction documents approved by the City Engineer.

- *The project will include a modern roundabout at the intersection of Airport Road and Dry Creek Road.*
- *The project will modify the intersection of Dry Creek Road and Aerotech Way in accordance with the applicant's presentation.*
- *The plans will incorporate low impact development design techniques.*

T-2: Improvements to Beacon Road and Jardine Road along the project frontage will be waived. The estimated cost of these improvements will be applied to the reconstruction of Dry Creek Road.

T-3: Prior to occupancy of any unit, Aerotech Way shall be extended from its northerly terminus to the project in accordance with plans approved by the City Engineer (28-foot paved width). Low impact development practices shall be incorporated into the design.

T-4: The applicant shall apply their share of improvements to the intersection of State Highways 101 and 46E to the Dry Creek Road project.

T-5: The applicant shall apply their share of improvement of the intersection of Airport Road and State Highway 46E to the Dry Creek Road project.

- 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)

Discussion: The proposed project does not include road improvements that may result in safety hazards or in incompatible uses.

- c) Inadequate emergency access or inadequate access to nearby uses? (Sources: 1, 3, & 7)

Discussion: The project is adequately served by public streets for emergency services.

- d) Insufficient parking capacity on-site or off-site? (Sources: 1, 3, 7, & 8)

Discussion: The proposed Vista del Hombre project would be a 154,340 square foot development which would include manufacturing/light-industrial (along with some support commercial and office uses along with the ability to provide for a mixture of office and commercial uses.) The 431 parking spaces would meet the zoning code standard for the proposed project, based on approximately 100,000 square feet of manufacturing/light-industrial use and approximately 54,000 square feet of commercial/office uses.

- e) Hazards or barriers for pedestrians or bicyclists? (Source: 7)

10 Environmental Checklist Form

| ISSUES (and Supporting Information Sources): | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Potentially Significant Less Than Significant Impact | No Impact |
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Discussion: The development of this project within the existing Link's Golf Course will not create a hazard for pedestrians or bicyclists. With the extension of Aero Tech Center Way, there will be a sidewalk from Dry Creek Road up to the project.

- f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?
- (Sources: 1 & 8)

Discussion: The project would not conflict with or otherwise affect adopted policies supporting alternative transportation. Bike racks will be installed throughout the project.

- g) Rail, waterborne or air traffic impacts?

Discussion: The project will not result in impacts to rail, waterborne or air traffic. The project is located within Zone 5 of the City's Airport Land Use Plan. The proposed manufacturing/light-industrial uses along with the commercial and office uses are permitted uses in Zone 5.

VII. 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)?
- (Sources: 1, 3, 7, & 12)

Discussion: A Biological Assessment was prepared by Sierra Delta Corporation for the project, January 30, 2007. The report indicates that based on site reconnaissance, reviews of faunal and floral databases and review of assessments conducted in the vicinity of the property, it has been determined that no sensitive plant or animal species are expected to occur on the subject property. Based on site reconnaissance, the size, location, and condition of the subject property and surrounding properties, impacts to natural communities were determined to be low with incorporation of recommended mitigation measures and no adverse impacts to sensitive species are expected. No significant impacts are expected to result from the proposed off-site improvements including the proposed Aerotech Center Way extension. The proposed project is not expected to increase bird-strike hazard to aircraft using the adjacent Paso Robles Municipal Airport. Due to the potential for grading and construction activities to impact nesting birds the following mitigation measure are recommended:

Mitigation Measure 1: Nesting bird surveys shall be conducted prior to any site disturbance initiated between the dates of April 1st and August 30th.

The following wildlife species were identified as having a potential to occur in the region of the property, however, based on existing site conditions, current land use of the site, routine landscaping maintenance activities, and lack of sufficient ponding time on the site, it is unlikely that these species occur on the subject property: Vernal Pool Fairy Shrimp, Western Spadefoot Toads, Southwestern Pond Turtles and San Joaquin Kit Fox.

An analysis of the site and the project in relation to impacts to the San Joaquin Kit Fox was studied for the project. Daniel Meade of Althouse and Meade completed the Kit Fox Habitat Evaluation Form for the project. The Evaluation concluded that the project would affect 22.5 acres of the site and based on the habitat of the disturbed area would score a 66, which would indicate a 2:1 ratio for mitigation. The score along with the mitigation measure was confirmed by Bob Stafford from the California Department of Fish and Game.

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Mitigation measures have been added to the project regarding the payment of the necessary mitigation fees based on the above noted ratio, along with the standard mitigation measures related to Kit Fox protection prior to and during construction.

- b) Locally designated species (e.g., heritage trees)?

Discussion: There are multiple oak trees located on the entire 230-acre site, none of which will be impacted as a result of the proposed project.

- c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?

Discussion: There are no locally designated natural communities on this site.

- d) Wetland habitat (e.g., marsh, riparian and vernal pool)?

Discussion: There are no wetland habitats in the area of the site where the project is proposed to be developed.

- e) Wildlife dispersal or migration corridors?

Discussion: As mentioned above in Section A, the project would impact 22.5 acres of the site that is considered habitat for the San Joaquin Kit Fox. Mitigation measures have been required for the project which will result in impacts to the mitigation corridor not being a significant impact.

VII. ENERGY AND MINERAL RESOURCES. Would the proposal involve:

- a) Conflict with adopted energy conservation plans? (Sources: 1 & 7)

Discussion: The structures will be designed and constructed according to applicable UBC codes and Title 24 energy conservation requirements, thus it will not conflict with adopted energy conservation plans.

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

10 Environmental Checklist Form

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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:

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

Discussion: The project will not result in a risk of accidental explosion or release of hazardous substances since the uses do not generally use these types of substances.

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

Discussion: The project will not interfere with an emergency response plan or emergency evacuation plan since it is not a designated emergency response location to be used for staging or other uses in an emergency.

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

Discussion: The project and future uses will not likely result in creating any health or other hazards.

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

Discussion: The project site is currently cleared and grubbed, and is not within an area that would result in increase fire hazards.

X. NOISE. Would the proposal result in:

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

Discussion: The project will not likely result in a significant increase in operational noise levels. It may result in short-term construction noise. However, construction noise will be limited to specific daytime hours per city regulations.

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

The proposed project would not result in exposure of people to severe noise levels.

XI. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in

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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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? (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.

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? (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"/> |
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| ISSUES (and Supporting Information Sources): | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
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Discussion: The project is not located in a scenic vista or scenic highway area.

- | | | | | |
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| b) Have a demonstrable negative aesthetic effect? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is not located in an area that has significant views from public streets. Since the site is relatively flat and the buildings are single story, there will not be a negative aesthetic effect.

- | | | | | |
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| c) Create light or glare? (Sources: 1, 3, 7, & 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: All light fixtures will be shielded and downcast as required per city regulations.

XIV. CULTURAL RESOURCES. Would the proposal:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Disturb paleontological resources? (Sources: 1, 3, 7 & 14) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Disturb archaeological resources? (Sources: 1, 3, 7 & 14) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: A Cultural resources survey was conducted by C.A. Singer & Associates, Inc, dated January 19, 2007. The study concluded that the surface study of the property found no evidence of prehistoric early historic archeological resources. Furthermore, geologic and topographic conditions imply that subterranean resources are absent.

- | | | | | |
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| c) Affect historical resources? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See response for Section XIV a & b

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Have the potential to cause a physical change which would affect unique ethnic cultural values? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: See response for Section XIV a & b.

- | | | | | |
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| e) Restrict existing religious or sacred uses within the potential impact area? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See response for Section XIV a & b.

XV. RECREATION. Would the proposal:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the demand for neighborhood or regional parks or other recreational facilities? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project will not affect the demand for parks and recreational facilities.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Affect existing recreational opportunities? (Sources 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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10 Environmental Checklist Form

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

Discussion: The project will not affect existing recreational opportunities. The existing Link's Course will remain functional as a result of this project.

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)
-

Discussion: The expansion to the existing facility is not anticipated to have significant environmental impacts.

- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals? (Sources: 1 & 3)
-

Discussion: The project will likely have a beneficial long-term environmental impact since it will result in increased jobs which aid the jobs/housing balance.

- 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)
-

Discussion: The expansion to the existing facility is not anticipated to have significant 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)
-

Discussion: The project will not result in substantial adverse environmental impacts 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 |
| 11 | APCD Comments dated June 29, 2007 | Attachment 1 |
| 12 | Biological Assessment by Sierra Delta Corp. dated January 30, 2007, which includes the Kit Fox Evaluation Form by Althouse & Meade, dated January 18, 2007 | Attachment 2 |
| 13 | E-mail from Bob Stafford, CDFG of February 9, 2007 confirming evaluation score. | Attachment 3 |
| 14 | Archeological Study by C.A. Singer, dated January 19, 2007 | Attachment 4 |
| 15 | A Traffic Study by Fehr & Peers, Transportation Consultants dated June 14, 2007. | City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446 |



Attachment 1
APCD Letter
PD 06-021 & Tent. Tract 2716
(Vista del Hombre)

June 29, 2007

Darren Nash, Associate Planner
City of Paso Robles Community Development Department
1000 Spring Street
Paso Robles, CA 93446

SUBJECT: APCD Comments Regarding the Gearhart Commercial - Vista Del Hombre Project Referral (PD 05-009, Tract 2716)

Dear Mr. Nash:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed Gearhart Development Corporation modification to the Vista Del Hombre Master Plan located at 5151 Jardine Road just inside the Paso Robles Urban Reserve Line (URL). The new plan would construct 32 commercial/light-industrial buildings totaling 154,000 square feet within and around the Links golf course. This new proposal is a reduction to the original project which would have included 184 buildings and 1.05 million square feet. APCD discussed this modification and future development possibilities with City staff and the following is understood: The current project will be accomplished under a negative declaration whereas the previous large scale project would have required an environmental impact report (EIR). If the applicant is to propose any future development at this site prior to the City revising its General Plan, the City would require that development be accomplished with an EIR. *The following are updated APCD comments that are pertinent to this project.*

GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

CONSTRUCTION PHASE MITIGATION

Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

Demolition Activities

The project referral did not indicate whether there are existing structures on the proposed site that will be demolished. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos

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info@slcleanair.org • www.slcleanair.org

containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the Enforcement Division at 781-5912 for further information.

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 APCD's 402 "Nuisance" Rule. Any project with a grading area greater than 4.0 acres exceeds the APCD's PM10 quarterly threshold. **This project exceeds this threshold or is near potentially sensitive receptors and shall be conditioned to comply with all applicable Air Pollution Control District 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 (non-potable) water should be used whenever possible,
- c. All dirt stock pile areas should be sprayed daily as needed,
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities,
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating 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, and
- 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.**

Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities will require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater;
- IC engines;
- Concrete batch plants;
- Tub grinders; and
- Trommel screens.

To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering Division at 781-5912 for specific information regarding permitting requirements.

OPERATIONAL PHASE MITIGATION

APCD staff has determined the operational impacts of this development through the use of the URBEMIS2002 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. The results of the model using conservative County average trip distances demonstrated that the operational impacts will likely exceed the APCD's CEQA Tier I significance threshold value of 10 lbs/day for nitrogen oxides (NOx), reactive organic gases (ROG) and particulate matter (PM10). This project's estimated daily emissions for these pollutants are 21, 16 and 17 lbs/day respectively.

As a result of this estimated Tier I threshold exceedence, this project must implement all applicable Standard Mitigation Measures and at least 10 Additional Mitigation Measures listed below. Should this project move forward, the APCD will consider the overall air quality impacts from this project to have been reduced to a level of insignificance with the implementation of these mitigation measures. Other measures may be proposed as replacements by contacting the APCD's Planning Division at 781-5912.

Standard Measures (Include all applicable standard mitigation measures below)

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- Provide preferential carpool and vanpool parking spaces.
- Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.
- Increase the building energy efficiency rating by 10% above what is required by Title 24 requirements. This can be accomplished in a number of ways (increasing attic, wall, or floor insulation, installing double pane windows, using efficient interior lighting, etc.).

Discretionary Measures (Include at least 10 of the following)

Site Design Mitigation for this Commercial Project

- Increase street shade tree planting.

- Increase shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- Provide on-site banking (ATM) and postal services.
- Provide on-site child care facilities for employees.
- Provide on-site housing for employees.
- Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment with designated walkways.
- Provide pedestrian signalization and signage to improve pedestrian safety.

Transportation Demand Mitigation

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.
- Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc by implementing the Transportation Choices Program. The applicant should Contact SLO Regional Rideshare at 541-2277 to receive free consulting services on how to start and maintain a program.
- Provide Transportation Choices Program information centers on alternative transportation modes at the site (i.e. a transportation kiosk). Contact SLO Regional Rideshare for appropriate materials at 541-2277.
- Install an electric vehicle charging station with both conductive and inductive charging capabilities.
- Employ or appoint an Employee Transportation Coordinator.
- Implement an APCD approved Trip Reduction Program
- Provide for shuttle/mini bus service.
- Increase the quality of existing bicycle routes/lanes or add bicycle routes/lanes which access the project.
- Implement compressed work schedules.
- Implement a telecommuting program.
- Implement a lunch-time shuttle to reduce single occupant vehicle trips.
- Participate in an employee "flash pass" program, which provides free travel on transit buses.
- Include teleconferencing capabilities, such as web cams or satellite linkage, which will allow employees to attend meetings remotely without requiring them to travel out of the area.
- If the development is a large grocery store or large retail facility, provide home delivery service for customers.

Energy Efficiency Measures

- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
- Use built-in energy efficient appliances, where applicable.
- Use double-paned windows.
- Use low energy parking lot and street lights (e.g. sodium).
- Use energy efficient interior lighting.
- Use low energy traffic signals (e.g. light emitting diode).
- Install door sweeps or weather stripping if more energy efficient doors and windows are not available.
- Install high efficiency or gas space heating.
- Replace diesel fleet vehicles with cleaner fueled low emission vehicles (e.g. school buses, transit buses, on and off road heavy duty vehicles, lighter duty trucks and passenger vehicles).

- Retrofit existing equipment to reduce emissions through methods such as catalyzed diesel particulate filters, diesel oxidation catalysts, or other approved technologies.

Mixed Use Incompatibility

As individual projects move forward it is important to keep in mind that some uses may not be compatible and could result in potential nuisance problems (i.e. odors and/or dust). Therefore, it is essential that individual uses be carefully evaluated prior to issuance of an APCD use permit. The following uses could be problematic if residential quarters are included in the same building.

- Nail Salons
- Dry-cleaners
- Coffee Roasters
- Gasoline Stations
- Furniture refurbishing/refinishing
- Any type of Spray Paint Operation
-

To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

Other Applicable Project Requirements

The APCD is also requiring the following operational phase mitigation measures for this project.

Operational Permit Requirements

Based on the information provided, we are unsure of the types of businesses/equipment that will occupy the commercial/retail portion of this project. **State law (AB 3205) requires an applicant for a commercial/industrial development project, building permit or occupancy permit to provide information to the Air Pollution Control District (APCD) indicating whether hazardous materials or certain equipment or processes will be used in or at the facility (Attachment 1: Facility Operations Questionnaire). Such uses may require a permit from the APCD and/or a Hazardous Materials Business Plan. This law prohibits a City or County from issuing a final certificate of occupancy until the applicant or future building occupant has complied with the provisions of the law.**

The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 Attachment 1.

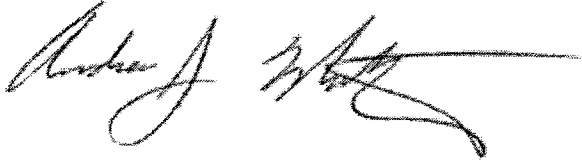
- Portable generators and equipment with engines that are 50 hp or greater;
- Chemical product processing and or manufacturing;
- Electrical generation plants or the use of standby generator;
- Food and beverage preparation (primarily coffee roasters);
- Furniture and fixture products;
- Metal industries, fabrication;
- Small scale manufacturing;
- Auto and vehicle repair and painting facilities;
- Dry cleaning;
- Boilers;
- IC Engines;
- Sterilization units(s) using ethylene oxide and incinerator(s);
- Cogeneration facilities; and

- Unconfined abrasive blasting operations.

To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Andy Mutziger". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Andy Mutziger
Air Quality Specialist

AJM/ksj

cc: Kelly Gearhart, Owner
Karen Brooks, Enforcement Division, APCD
Tim Fuhs, Enforcement Division, APCD
Gary Willey, Engineering Division, APCD

Attachment

h:\plan\ceqa\project_review\3069-2\3069-2.doc



FACILITY OPERATIONS QUESTIONNAIRE

For the Incorporated and Unincorporated Areas of San Luis Obispo County

State law (AB 3205) requires an applicant for a commercial/industrial development project, building permit or occupancy permit to provide information to the Air Pollution Control District (APCD) indicating whether hazardous materials or certain equipment or processes will be used in or at the facility. Such uses may require a permit from the APCD and/or a Hazardous Materials Business Plan. **This law prohibits a City or County from issuing a final certificate of occupancy until the applicant or future building occupant has complied with the provisions of the law.** The law may also impose certain public noticing requirements for a facility that handles hazardous materials and is located within 1,000 feet of the outer boundary of a school (kindergarten through 12th grade). Additional information explaining the requirements of this law is attached to this form.

TO DETERMINE WHETHER YOUR BUSINESS IS SUBJECT TO THESE REQUIREMENTS, PLEASE COMPLETE THIS QUESTIONNAIRE:

| | | | |
|--|--|--|--|
| Business Name (Doing Business As): | | Contact Person: | Phone () |
| Mailing Address: | | City | State Zip |
| Nearest Cross Streets: | | | |
| 1. | WILL THE INTENDED OCCUPANT(S) INSTALL OR USE ANY PIECE OF EQUIPMENT LISTED ON THE ATTACHED LIST? <i>(If YES forward to Air Pollution Control District.)</i> | | YES NO <input type="checkbox"/> <input type="checkbox"/> |
| 2. | WILL THE INTENDED OCCUPANT(S) STORE, HANDLE OR USE ANY HAZARDOUS MATERIALS LISTED ON THE ATTACHED LIST? <i>(If YES forward to Air Pollution Control District.)</i> | | YES NO <input type="checkbox"/> <input type="checkbox"/> |
| Briefly Describe Nature of the Intended Business Activity: | | | |
| Name of Owner or Authorized Agent: | | Title: | |
| I declare under penalty of perjury that, to the best of my knowledge and belief, the responses made herein are true and correct: | | Inspection Plan File No. OR Development Plan/Tract Map No. | |
| Signature of Owner or Authorized Agent: | | Multiple or Unknown Occupants | |
| Signed: _____ Date: _____ | | <input type="checkbox"/> Check if Applicable | |
| FOR PLANNING DEPARTMENT USE ONLY | | | |
| Forwarded to APCD for processing: | YES <input type="checkbox"/> | NO <input type="checkbox"/> | Planning Dept. Official _____ Date _____ |
| FOR APCD USE ONLY | | | |
| APCD permit required | YES <input type="checkbox"/> | NO <input type="checkbox"/> | FORWARDED TO: YES NO |
| Potential hazardous materials | <input type="checkbox"/> | <input type="checkbox"/> | ENV. HEALTH <input type="checkbox"/> <input type="checkbox"/> |
| Within 1000' of a school | <input type="checkbox"/> | <input type="checkbox"/> | S.L.O. CITY FIRE <input type="checkbox"/> <input type="checkbox"/> |
| Public notice required | <input type="checkbox"/> | <input type="checkbox"/> | |
| PROCESSED AND RETURNED TO PLANNING DEPARTMENT BY: | | FINAL CHECK-OFF | |
| Air Pollution Control District Official | Date | Planning Department Official | Date |

**SAN LUIS OBISPO COUNTY APCD
PERMIT CATEGORIES**

Businesses with the following equipment, operations or materials will require clearance from the Air Pollution Control District before obtaining a Certificate of Occupancy. Businesses which store, handle, or use hazardous materials will require clearance from the San Luis Obispo City Fire Department or San Luis Obispo County Environmental Health before obtaining a Certificate of Occupancy.

CHEMICALS

Ethylene Oxide Sterilizers
Acid Chemical Milling
Evaporators, Dryers, and Stills
Processing Organic Materials
Dry Chemical Mixing and storage

ELECTRONICS

Solder Levelers
Wave Solder Machines
Vapor Degreasers
Fume Hood Scrubbers
Electrolytic Plating
Silicone Chip Manufacturing

ROCK AND MINERAL

Hot Asphalt Batch Plants
Sand, Rock, and Aggregate Plants
Concrete Batch, Concrete Mixers, and Silos
Brick Manufacturing

COATINGS AND SURFACE

PREPARATION

Abrasive Blasting Equipment
Coating and Painting (not house-painting)
Paint, Stain, and Ink Manufacturing
Printers

FOOD

Smokehouses
Feed and Grain Mills
Coffee Roasters
Bulk Flour and Grain Storage

SOLVENT USE

Vapor and Cold Degreasing
Solvent and Extract Dryers
Dry Cleaning

COMBUSTION

Piston Internal Combustion Engines (50 hp or larger)
Incinerators and Crematories
Boilers and Heaters (2 million BTU/hr or larger)

METALS

Metal Melting Devices
Hot Dip Galvanizing
Cadmium or Chrome Plating
Chromic Acid Anodizing

OTHER

Asphalt Roofing Tanks
Aqueous Waste Neutralization
Landfill Gas Flare or Recovery Systems
Waste Disposal and Reclamation Units
Grinding Booths and Rooms
Oil Field Exploration or Production
Plastic/Fiberglass Manufacturing
Soil Aeration/Reclamation
Storage of Organic Liquids
Powder Coating
Fiberglass Chopper Guns
Waste Water Treatment Works

PETROLEUM FUELS MARKETING

Gasoline and Alcohol Bulk Plants and Terminals
Gasoline and Alcohol Fuel Dispensing

EXAMPLES OF HAZARDOUS MATERIALS

Ammonia
Acids and Bases
Chlorine
Compressed Gases
Corrosives
Cryogenic Fluids
Explosives
Fertilizers
Flammable Liquids and Solids

Gasoline
Hazardous Material Mixtures
Herbicides
Industrial Cleaners
Infectious/Biological Materials
Oxidizing Materials
Paint Thinners
Paints
Pesticides

Petroleum Products
Poisons
Pyrophoric/Hypergolic Materials
Radioactives
Solvents
Waste Oils
Water Reactives
Welding Gases

NOTE: Other equipment not listed here that is capable of emitting air contaminants may require a San Luis Obispo County Air Pollution Control District Permit. If there are any questions, contact the APCD at (805) 781-5912. For information on Hazardous Materials located within the City of San Luis Obispo contact the San Luis Obispo Fire Department at (805) 781-7380. All other areas contact County Environmental Health at (805) 781-5544.

IF YOU INSTALL AND/OR OPERATE EQUIPMENT WITHOUT A REQUIRED PERMIT, YOU MAY BE SUBJECT TO LEGAL ACTION AND PENALTIES OF UP TO \$50,000 PER DAY FOR EACH DAY OF VIOLATION.

BIOLOGICAL ASSESSMENT

The Links Office Campus
5151 Jardine Road
Paso Robles, San Luis Obispo County
California 93442

APN's: 025-441-041, 044, 045

Prepared for

Gearhart Development
6205 Alcantara Avenue
Atascadero, California 93422

Planning Division

FEB 12 2007

Paso Robles

SDC Project Number: GEAR.07

January 30, 2007

Prepared By

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Attachment 2
Biological Assessment
PD 06-021 & Tent. Tract 2716
(Vista del Hombre)

EXECUTIVE SUMMARY

SIERRA DELTA CORPORATION ("SDC") conducted a Biological Assessment ("BA") for the Subject Property identified as Assessor's Parcel Numbers ("APN") 025-441-041, 044, and 045. The Subject Property is located approximately 5.6 miles northwest of the city of Paso Robles, California, just to the west of Jardine Road. The BA was requested by Kirk Consulting on behalf of Mr. Kelly Gearhart of Gearhart Development and conducted between December 22, 2006 and January 30, 2007. SDC conducted a comprehensive BA for a larger project proposal on the Subject Property in January 2005. The scope of work for this report included site reconnaissance to determine any changes to existing conditions, current reviews of faunal and floral databases, and revisions of impact analysis and recommendations given the changes to the previously proposed project description and any observed changes to existing conditions of the site.

The BA findings are summarized in the following section.

Summary of Findings

Based on site reconnaissance, reviews of faunal and floral databases and review of assessments conducted in the vicinity of the Subject Property, SDC determined that no sensitive plant or animal species are expected to occur on the Subject Property. Based on the site reconnaissance, the size, location, and condition of the Subject Property and surrounding properties, impacts to natural communities were determined to be low with incorporation of recommended mitigation measures and no adverse impacts to sensitive species are expected. No significant impacts are expected to result from the proposed off-site improvements including the proposed Dry Creek Road Extension. The proposed project is not expected to increase bird-strike hazard to aircraft using the adjacent Paso Robles Municipal Airport. Due to the potential for grading and construction activities to impact nesting birds the following mitigation measure was recommended:

Mitigation Measure 1: Nesting bird surveys shall be conducted prior to any site disturbance initiated between the dates of April 1st and August 30th.

The following wildlife species were identified as having a potential to occur in the region of the property, however, based on existing site conditions, current landuse of the site, routine landscape maintenance activities, and lack of sufficient ponding time on-site, it is unlikely that these species occur on the Subject Property.

- *Vernal pool fairy shrimp (Branchinecta lynchi)* - need at least 2 weeks or more to complete their lifecycle. Vernal pool habitat required for the life cycle of vernal pool fairy shrimp does not occur on the Subject Property. Puddles do form on the Subject Property after storm events but do not remain for a sufficient amount of time to support the life cycle of this species. Based on existing site conditions, current landuse of the site, routine landscape maintenance activities, and lack of sufficient ponding time on-site, it is unlikely that vernal pool fairy shrimp occur on the Subject Property.

- **Western spadefoot toads (*Spea hammondi*)** - need at least three weeks to complete their lifecycle. Rain pool habitat does form on the Subject Property after storm events but does not remain for a sufficient amount of time to support the life cycle of this species. Based on existing site conditions, current landuse of the site, routine landscape maintenance activities, and lack of sufficient ponding time on-site, it is unlikely that western spadefoot toads occur on the Subject Property.
- **Southwestern pond turtles (*Clemmys marmorata*)** – one irrigation reservoir exists on the Subject Property that could be utilized by southwestern pond turtles. The reservoir is isolated and is approximately four and one half miles from any other known perennial or long term bodies of water capable of supporting this species. The reservoir is maintained by periodically removing the vegetation and dredging to maintain capacity. No evidence of turtles was observed during site visits. Based on existing site conditions, routine pond maintenance activities, lack of sufficient basking sites, and lack of dense submergent vegetation, it is unlikely that southwestern pond turtles occur on the Subject Property.
- **San Joaquin kit fox (*Vulpes macrotis mutica*)** – San Joaquin kit fox habitat was determined to be present on the Subject Property and suitable mitigation measures were recommended by Althouse and Meade Inc. (Appendix C). The proposed project with recommended mitigation measures (Appendix C) will not result in significant impacts to San Joaquin kit fox.

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- Appendix D – California Natural Diversity Database Report and Occurrence Locations Maps

List of Acronyms

| | |
|-------|---|
| APN | Assessors Parcel Number |
| BA | Biological Assessment |
| CNPS | California Native Plant Society |
| CESA | California Endangered Species Act |
| CDFG | California Department of Fish and Game |
| EIR | Environmental Impact Report |
| EIS | Environmental Impact Statement |
| EPA | Environmental Protection Agency |
| ESA | Endangered Species Act |
| FE | Federal-listed Endangered |
| FESA | Federal Endangered Species Act |
| FSC | Federal Species of Concern |
| FT | Federal-listed Threatened |
| GIS | Geographic Information Systems |
| MBTA | Migratory Bird Treaty Act |
| NDD | Natural Diversity Database |
| NMFS | National Marine Fisheries Service |
| SCS | Soil Conservation Service |
| SDC | Sierra Delta Corporation |
| ST | State-listed Threatened |
| USDA | United States Department of Agriculture |
| USFWS | United States Fish and Wildlife Service |

1.0 INTRODUCTION

This report presents the results of a Biological Assessment (“BA”) conducted for the Subject Property. Sierra Delta Corporation (SDC) was retained by Kirk Consulting on behalf of Gearhart Development to conduct the assessment. Authorization to proceed on the project was granted on December 21, 2006. This report of findings completes the agreed upon scope of services.

1.1 Project Location and Site Description

The Subject Property, APNs 025-441-041, 044, and 045, is located approximately one mile north of State Highway 46 on Jardine Road in the City of Paso Robles, San Luis Obispo County, California. The following figures show the parcel location.

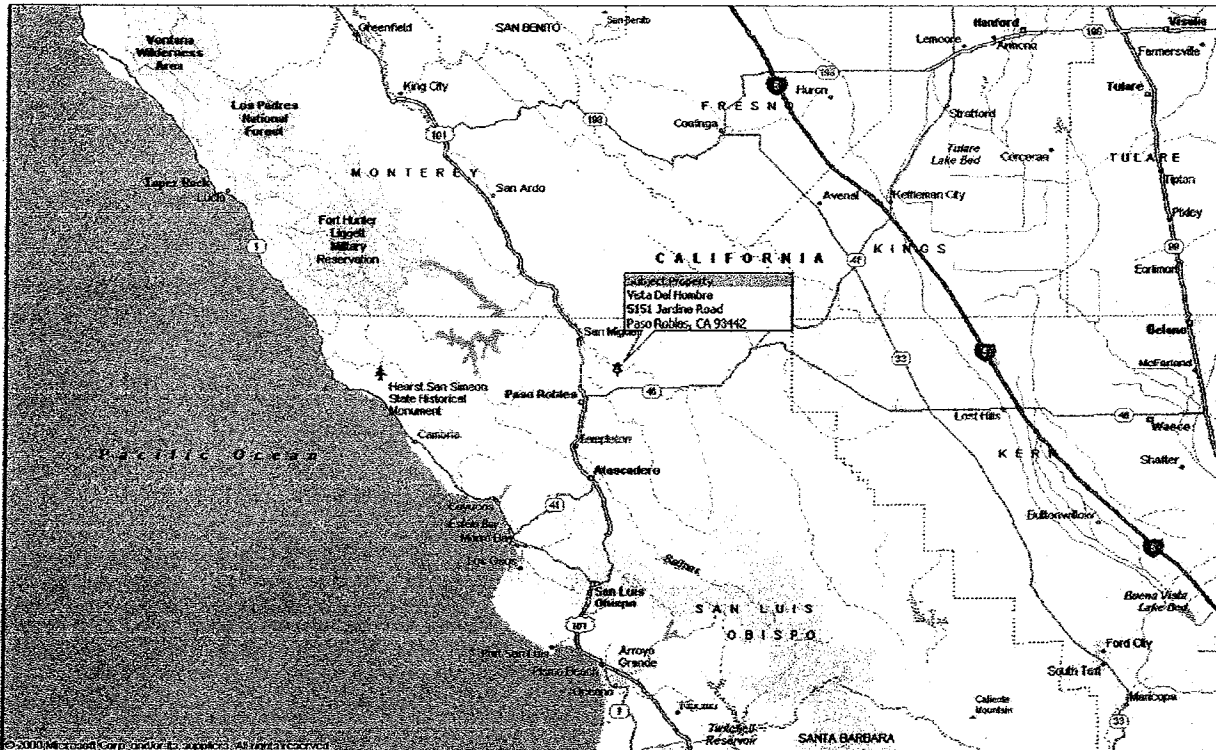


Figure 1: Regional Map (Microsoft Corporation, 2002).

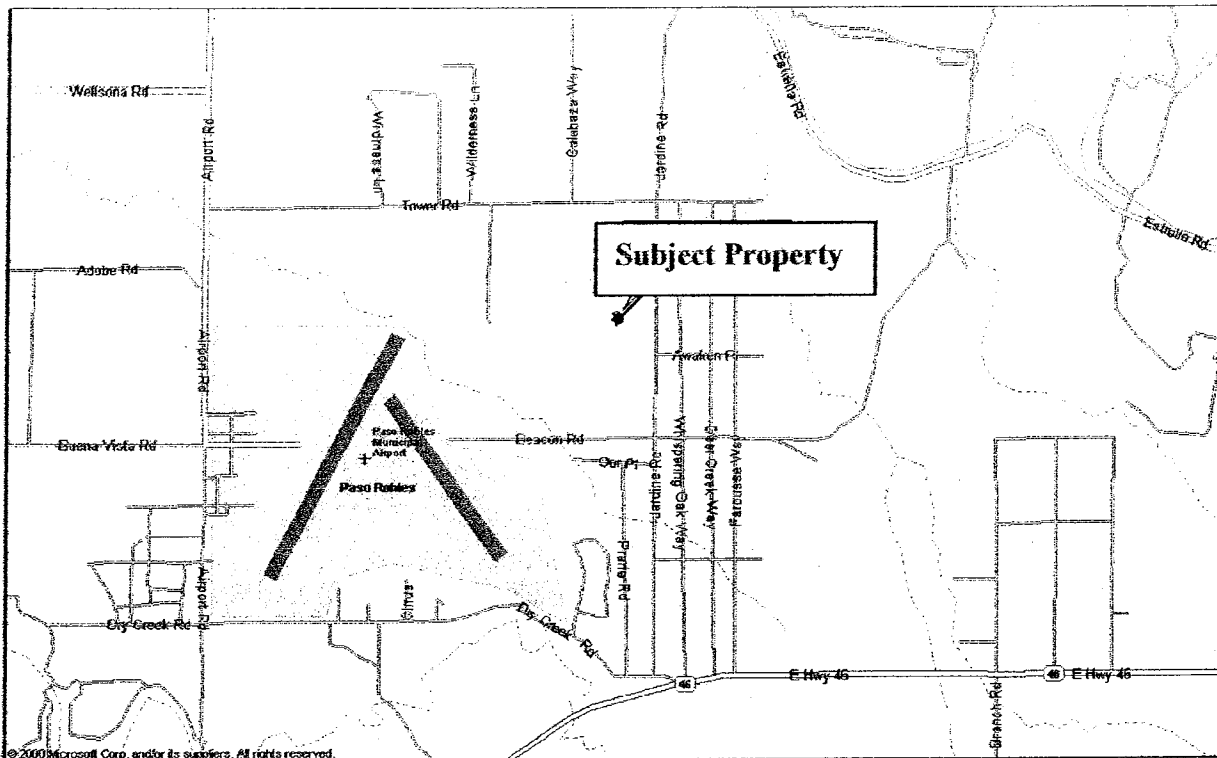


Figure 2: Vicinity Map (Microsoft Corporation, 2002).

The Subject Property was historically used as agricultural land and then developed into the current use as a golf course (“The Links”). The surrounding area is characterized by residential development to the east and southeast, and vineyards to the north. Dry farming occurs on the land to the south and the Paso Robles Municipal Airport is adjacent to the west.

Site vegetation within the property boundaries varies between non-native grassland and developed golf course. Some scrub brush is present in the grassland areas on the golf course. The grassland areas are periodically disked for fire suppression and weed control. Surface water is drained to the Salinas River via drainage channels that flow westward. The primary drainage channel is located on the southern portion of the property and flows only during storm events. This ephemeral drainage flows approximately 4.5 miles to the Salinas River. Storm water runoff from the residential area located to the east/southeast of the Subject Property flows onto the site through four culverts under Jardine Road. Pooling of storm run-off does occur in low areas on the property, but normally does not remain for more than a week. Evidence of past disturbances from grading, contouring, and golf course management were observed on the undeveloped portions of the Subject Property.

Topography of the Subject Property is slightly variable, with elevations ranging from 800 feet above mean sea level (msl) to 840 feet above msl (Delorme Incorporated, 1999). Small rolling hills and swales dominate the Subject Property with a few flat areas along the road margins.

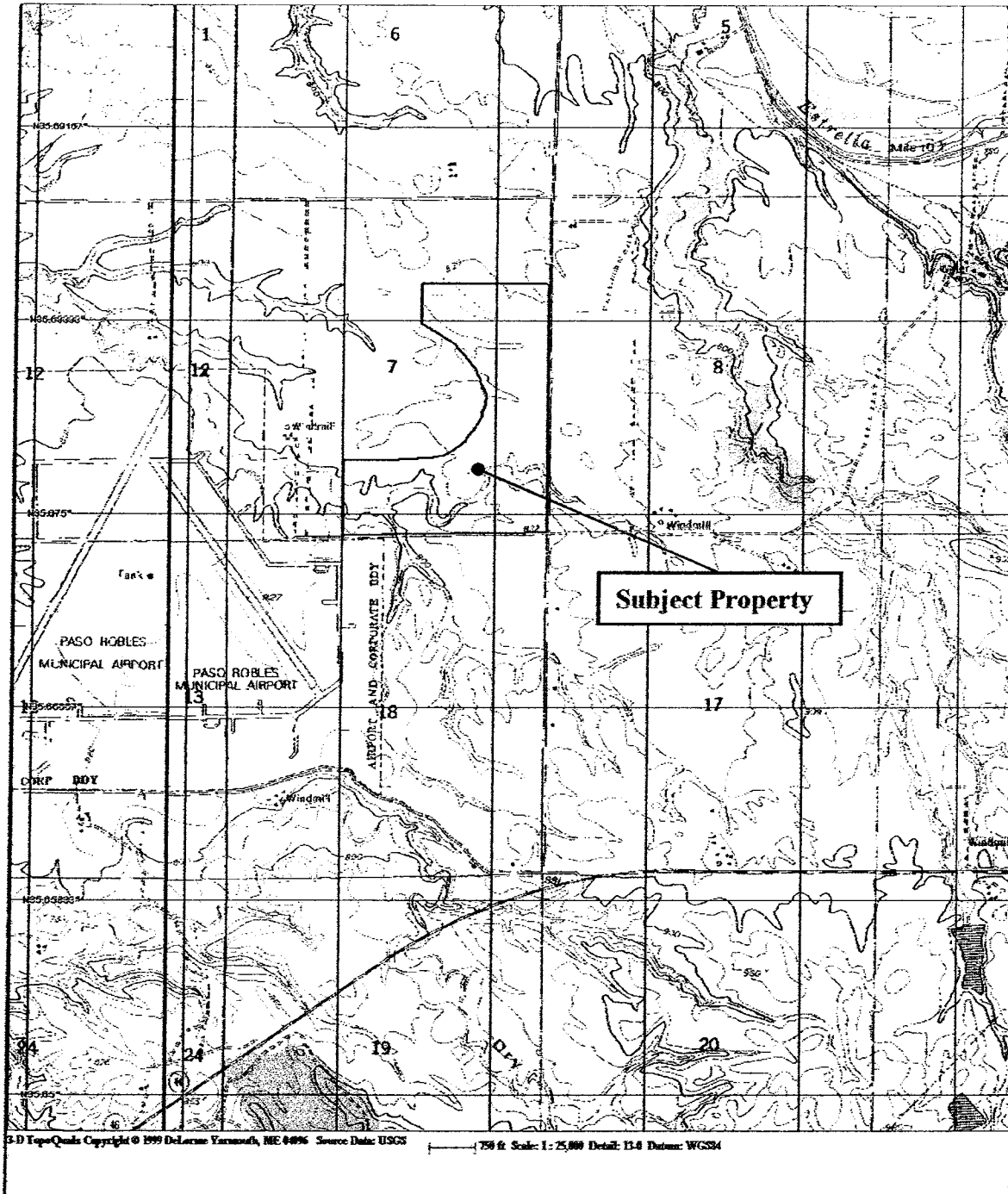


Figure 3: Topographic Map with approximate Subject Property boundaries indicated (Delorme Inc., 1999).

1.2 Project Background and Description

In 2005, Gearhart Development proposed to develop 225 acres of the Subject Property. The proposed project included development of 100 acres into 10,000 square foot lots. Two hundred and twenty-two commercial / industrial buildings measuring 50' x 100' were proposed with 30 acres of parking. The remaining area was to be developed into a new golf course and pedestrian trails. SDC completed a BA for the proposed project. The scope of work included two site

visits, floral and faunal surveys, database searches for sensitive resources and review of potential impacts from the proposed project.

The Subject Property is located at 5151 Jardine Road (APN 025-441-041, 044, 045), approximately 5.6 miles northwest of the City of Paso Robles. The site is currently zoned Business Park with an Airport Overlay Zone 4. Development plans do not propose to alter existing land use designations, nor zoning requirements. The site's existing use consists of an 18-hole golf course with driving range, clubhouse and parking, known as "The Links". There are 208 parking spaces that accommodate the golf course facility.

A development plan for approximately 154,340+/- square feet of light industrial and commercial buildings was submitted to the City of Paso Robles in November 2006 (Appendix A). The development plan consists of 32 buildings and 440 parking spaces. Total area of site disturbance for the development plan is for 22.5 acres. Site access will come from the existing ingress/egress location off of Jardine Rd as well a new access location at the southwest portion of the site, from a proposed road extension off of Dry Creek Road. Offsite site disturbance total +/- 6 acres for the Dry Creek road extension improvement plans (Appendix A).

1.3 Purpose of Biological Assessment

The purpose of this Biological Assessment ("BA") is to determine what sensitive fauna and floral species have the potential for occurring on the Subject Property, what sensitive species actually occur on the Subject Property, and if sensitive species are present to define mitigation measures to avoid, minimize or compensate for impacts to those species. This assessment focuses on sensitive communities and sensitive species, and identifies biological constraints.

The scope of work for this report included a site reconnaissance to determine any changes to existing conditions, current reviews of faunal and floral databases, and revisions of impact analysis and recommendations given the changes to the previously proposed project description and any observed changes to existing conditions of the site.

2.0 METHODS

A search of the State of California, Department of Fish and Game's ("CDFG") Natural Diversity Database ("NDD") for a 5-mile radius from the Subject Property encompassing portions of the Creston, Estrella, Paso Robles, and Templeton USGS 7.5-minute quadrangles was conducted to identify reported occurrences of sensitive habitats, plant and animal species. The results of the NDD search were then reviewed to evaluate the potential for occurrence of sensitive species within, or near the Subject Property. The California Native Plant Society's ("CNPS") *Inventory of Rare and Endangered Plants of California* (Tibor, 2001) and the *Jepson Manual, Higher Plants of California* (Hickman, 1996) were also reviewed to provide information on rare plants that are expected to occur in the area. Vegetation/habitat types were classified based on CDFG's *Preliminary Descriptions of the Terrestrial Natural Communities of California* (R. Holland, 1986), and modified as necessary to reflect specific characteristics of on-site communities.

SDC biologists, Kelly Gillogly and Cletis England conducted a site reconnaissance on December 30, 2004 to determine the location and extent of plant communities and the potential for the occurrence of sensitive plant and wildlife species. During the site survey, vegetative communities were documented, and photographs were taken (Appendix B). A second site visit was made the following week to document the holding time of the temporary pool habitat from storm water runoff that was observed during the initial site reconnaissance.

SDC biologists also completed a site reconnaissance on December 22, 2006 to document any changes to existing conditions documented in the original report. An interview with the groundskeeper of the golf course was conducted to determine the nature and extent of the routine landscape management practices employed on-site. A field survey of the proposed Dry Creek Road Extension was completed on January 16, 2007. Walking transects of the proposed impact area plus a 50' buffer was completed on the eastern portion of the Paso Robles Municipal Airport property. During the site surveys the location and extent of vegetative communities and habitats as well as the potential for the occurrence of sensitive plant and wildlife species were documented, and photographs were taken (Appendix B).

A San Joaquin kit fox habitat evaluation was completed by Althouse and Meade Inc. on January 5, 2007 (Appendix C). SDC met with Kirk Consulting and reviewed both the project impact areas provided by KC Design Group Inc. and the habitat areas mapped by Althouse and Meade Inc. and concurred that the delineations agreed with our observations in the field. The resulting project overlay and habitat delineations are referenced in this report (Appendix C).

3.0 EXISTING CONDITIONS

3.1 Plant Communities and Wildlife Habitats

The dominant vegetation found on the Subject Property is California Annual Grassland with scattered areas of coyote bush scrub (Table 1). There is also an area west of the current clubhouse that is constantly disturbed by stockpiling and grading activities for golf course maintenance and has been colonized by ruderal species. Periodically the property is disked for fire suppression and weed control which facilitates a plant community composed of disturbance followers, mostly non-natives.

Table 1. Habitat types present on the Subject Property and delineated disturbance areas resulting from proposed project (KC Design Group and Althouse and Meade Inc, Appendix C).

| Wildlife Habitat Relationship (WHR) Types | Acres |
|---|-------------|
| California Annual Grassland | 15.3 |
| Coyote Bush Scrub | 0.8 |
| Ruderal | 4.6 |
| Non-WHR Types | Acres |
| Turf Grass | 1.3 |
| Cart Paths | 0.4 |
| Trimming Pile | 0.1 |
| Total Disturbance Area | 22.5 |

Characteristic plants expected to occur within the observed plant community and wildlife species typically associated with the habitat at the project site are discussed below.

3.1.1 California Annual Grassland

Annual grasslands occur in areas having relatively little (ten to twenty inches) rainfall that occurs in winter and spring. Typically there are four to eight months per year of summer drought when the soils dry out thoroughly and the temperatures often rise above 100°F. These areas are too hot and dry for woodlands and forests. However, where more moisture is available, often on north-facing slopes, in ravines or near springs, trees such as valley oaks (*Quercus lobata*) may grow among the grasses and forbs. The dominant species present in this plant community are introduced non-natives.

Grasslands typically provide habitat for a variety of wildlife species. Raptors, such as the red-tailed hawk (*Buteo jamaicensis*), barn owl (*Tyto alba*), and American kestrel (*Falco sparverius*), commonly use open grassland for foraging purposes, while other birds such as the western meadowlark (*Sturnella neglecta*) use grasslands for nesting. Reptiles that often occur in

grassland habitats include western fence lizard (*Sceloporus occidentalis*) and gopher snakes (*Pituophis melanoleucus*). Mammals with potential to occur in or frequent grassland habitats include California ground squirrel (*Spermophilus beecheyi*) and Botta's pocket gopher (*Thomomys bottae*).

On the Subject Property, this community occurs around the margins of the more intensively managed turf and is considered the "rough" and "out of bounds" areas of the golf course. A total of 15.3 acres of disturbance to annual grassland habitat were delineated (Althouse and Meade Inc; Appendix C). Existing conditions of the annual grassland on the Subject Property are best described as intensively managed and highly disturbed. Frequent disturbance by landscape maintenance activities such as mowing or disking for fire protection, and contouring for erosion control are compounded by daily trampling by golfers. Typical plants observed in the grassland areas were filaree (*Erodium spp.*), miniature lupine (*Lupinus bicolor*), bur-clover (*Medicago hispida*), ripgut brome (*Bromus diandrus*), soft chess brome (*Bromus mollis*), wild oats (*Avena spp.*), telegraph weed (*Heterotheca grandiflora*), and perennial mustard (*Hirschfeldia incana*). Coyote bush (*Baccharis pilularis*) occurs sporadically across the Subject Property.

3.1.2 Coyote Bush and Ruderal Areas

In California annual grasslands, coyote bush can be considered a late successional species that increases in the absence of fire or grazing. Coyote bush invasion of the grasslands on the Subject Property is an indicator of the intensity of the landscape management activities that occur in the grassland areas. The fire suppression and other landscape maintenance activities have encouraged the expansion of the coyote bush. The groundskeeper indicated that the coyote bush have been left alone to create a visual break between holes on the golf course.

A ruderal species is a plant species that is first to colonize disturbed lands. The disturbance may be natural (e.g., wildfires or avalanches), or man-made - constructional (e.g., road construction, building construction or mining), or agricultural (e.g., abandoned farming fields or abandoned irrigation ditches). Ruderal species typically dominate the disturbed area for a few years, gradually losing the competition to other native species in the absence of new disturbance. The ruderal area on the Subject Property appears to experience recurring disturbance required for aspects of course maintenance such as turf development and soil stockpiling.

3.2 Sensitive Habitats

Valley oaks (*Quercus lobata*) were found to occur on the Subject Property; however these trees will not be impacted by the proposed development. No other sensitive habitats were observed on the Subject Property.

3.3 Sensitive Species

For the purposes of this BA, sensitive species are defined as plants and animals that are; A) listed as endangered or threatened under the Federal or California Endangered Species Acts ("ESA"), B) considered rare under the California Native Plant Protection Act, or C) or are afforded

protection under acts or codes other than the state or federal ESA's (e.g. Migratory Bird Treaty Act, Fish and Game Code).

The NDD lists nineteen sensitive species (ten plants and nine animals) as occurring within the Creston, Estrella, Paso Robles, and Templeton quadrangles (Appendix D). Four animal species and three plant species were determined to have a reasonable potential for occurring on or near the Subject Property based on proximity to other known populations, habitat requirements and the natural characteristics of the region; vernal pool fairy shrimp (*Branchinecta lynchi*), southwestern pond turtle (*Clemmys marmorata*), western spadefoot toad (*Spea hammondi*), San Joaquin kit fox (*Vulpes macrotis mutica*), Obispo Indian paintbrush (*Castilleja densiflora ssp. obispoensis*), round-leaved filaree (*Erodium macrophyllum*), and Jared's pepper-grass (*Lepidium jaredii*) (See Appendix D for NDD occurrence location maps). Based on the existing site conditions, current landuse of the site, and the routine landscape maintenance activities, it was determined that none of the sensitive plant species had a reasonable potential to occur on the property. The site reconnaissance visits did not reveal any rare, threatened, or endangered plants or animals on the Subject Property.

3.3.1 Sensitive Wildlife

Four wildlife species, vernal pool fairy shrimp (*Branchinecta lynchi*), southwestern pond turtle (*Clemmys marmorata*), western spadefoot toad (*Scaphiopus hammondi*), and San Joaquin kit fox (*Vulpes macrotis mutica*) were determined to have a reasonable potential to occur on the property based on proximity to other known populations, habitat requirements and the natural characteristics of the region. The legal status of the species is provided in Table 1. Potential impacts to San Joaquin kit fox and recommended mitigation were covered in a separate report (Althouse and Meade Inc.; Appendix C). Life history, habitat requirements and site suitability for the remaining three wildlife species are discussed in detail below.

Table 2: Sensitive wildlife species.

| SCIENTIFIC NAME | COMMON NAME | LEGAL STATUS Federal / State / Other |
|--|--------------------------|---|
| <i>Branchinecta lynchi</i> | vernal pool fairy shrimp | FT / -- / -- |
| <i>Clemmys marmorata</i> | southwestern pond turtle | -- / SC / -- |
| <i>Scaphiopus hammondi</i> | western spadefoot toad | -- / SC / -- |
| <i>Vulpes macrotis mutica</i> | San Joaquin kit fox | FE / ST / -- |
| Status Codes: <i>Federal:</i> FT = Federal Listed Threatened FE = Federal Listed Endangered <i>CDFG:</i> SC = Species of Concern ST = State Listed Threatened | | |

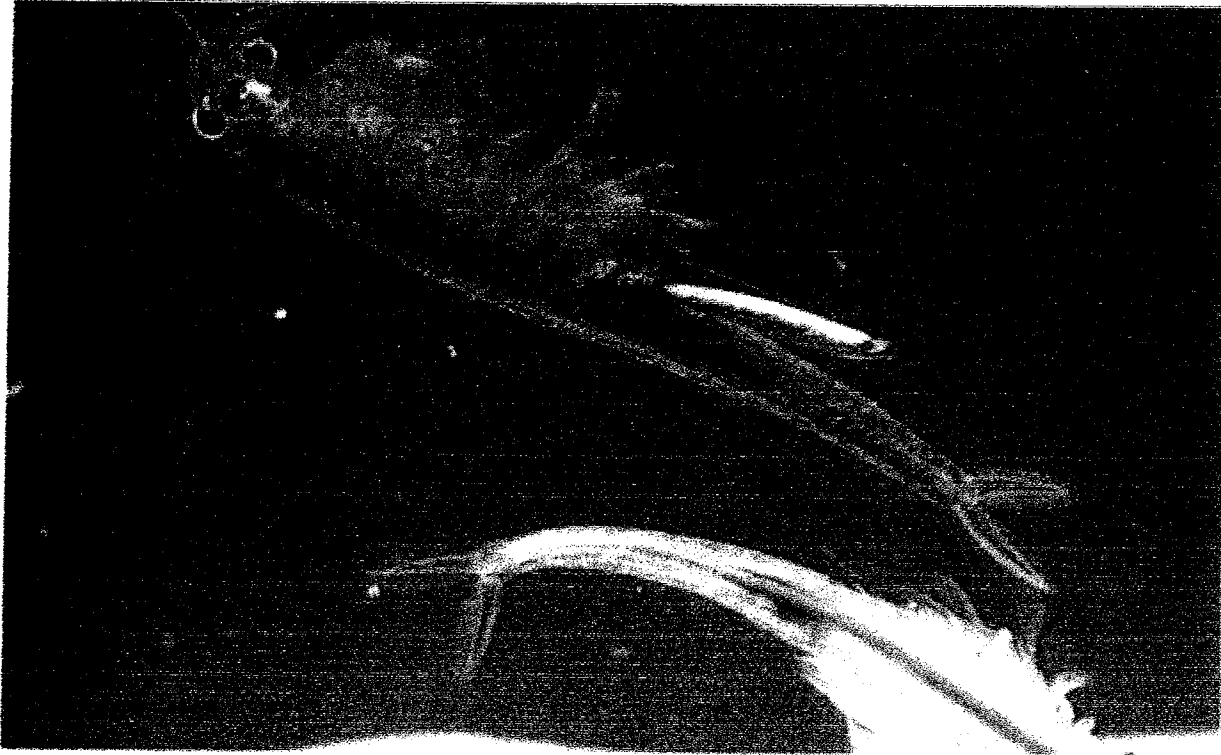
3.3.1.1 *Branchinecta lynchi*

Figure 4: Vernal Pool Fairy Shrimp

Vernal pool fairy shrimp (Figure 4) populations live in ephemeral freshwater habitats, such as vernal pools and swales (Figure 5). None are known to occur in running or marine waters or other permanent bodies of water. Vernal pools are unique seasonal wetlands that support a wide variety of wildlife, from waterfowl to amphibians— all of which rely on the protein-rich food sources found in these ecosystems.

Vernal pool fairy shrimp range in size from 0.42 to .098 inches. Fairy shrimp are almost translucent, but can be whitish or have some orange body parts. They have delicate elongate bodies, large stalked compound eyes, no carapace and 11 pairs of swimming legs. They swim or glide gracefully upside down by means of complex beating movements of the legs that pass in a wave-like anterior to posterior direction. Nearly all fairy shrimp feed on algae, bacteria, protozoa, rotifers, and bits of detritus. Fairy shrimp play an important role in the community ecology of ephemeral water bodies. They are fed upon by migratory waterfowl and other vertebrates, such as spadefoot toad tadpoles.

The distribution of vernal pools is highly discontinuous and some of the aquatic invertebrates that are found in this habitat occur only in specific geographic areas. Due to local topography and geology, the pools are usually clustered into pool complexes. Pools within a complex typically are separated by distances on the order of yards and may form dense, interconnected mosaics of small pools or a sparser scattering of larger pools. This species has a sporadic distribution within vernal pool complexes wherein the majority of pools in a given complex typically are not inhabited by the species.



Figure 5: Vernal Pool Habitat

Although the vernal pool fairy shrimp has a relatively wide range, the majority of known populations inhabit vernal pools with clear to tea-colored water, most commonly in grass or mud bottomed swales, or basalt flow depression pools in unplowed grasslands. However, populations have been found to occur in sandstone rock outcrops and in alkaline vernal pools. They are ecologically dependent on seasonal fluctuations in their habitat, such as presence or absence of water during specific times of the year, duration of inundation, and other environmental factors that include specific salinity, conductivity, dissolved solids, and pH levels. Water chemistry is one of the most important factors in determining the distribution of fairy shrimp. The water in pools inhabited by this species has low total dissolved solids (TDS), conductivity, alkalinity, and chloride. The vernal pools this species inhabits vary in size from over 24.7 acres to only 215 square feet. The vernal pool fairy shrimp occurs at temperatures between 43 to 68 degrees F in soft and poorly buffered waters.

The females carry the fertilized eggs in an oval or elongate ventral brood sac. The eggs are either dropped to the bottom or remain attached until the female dies and sinks. A key adaptation of the fairy shrimp is the production of drought-resistant eggs. When the vernal pools dry, the eggs remain on the surface of the pool or embedded within the top few centimeters of soil. There they survive the hot, dry summers and cold, wet winters that follow until the vernal pools and swales fill with rainwater and conditions are right for hatching. When the pools refill in the same or subsequent seasons some, but not all, of the eggs may hatch. The egg bank in the soil may be comprised of the eggs from several years of breeding. Although the animal can mature quickly, allowing populations to persist in short-lived shallow pools, it also persists later

into the spring where pools are longer lasting. Vernal pool fairy shrimp require a minimum of approximately 2 weeks to complete their life cycle.

Storm events prior to the 2004/5 site visits created many puddles around the golf course area. These areas were inspected and mapped approximately one day after the heaviest event. After approximately seven days these areas were relocated and observed to determine if they still were holding water. The topography of the grassland areas on the Subject Property was re-contoured during development of the golf course to facilitate drainage. These areas are also periodically disked for fire safety and vegetation maintenance. None of the observed depressions or low spots that collect and hold water on the Subject Property was determined to hold water for a sufficient amount of time to facilitate the vernal pool fairy shrimp life cycle.

No vernal pools or similar habitats were found on the Subject Property. Although vernal pool fairy shrimp have been located and identified in the local area (Appendix D), there were no vernal pool fairy shrimp identified on the Subject Property. Based on existing site conditions, current landuse of the site, routine landscape maintenance activities, and lack of sufficient ponding time on-site, it is unlikely that vernal pool fairy shrimp occur on the Subject Property.

3.3.1.2 *Clemmys marmorata*

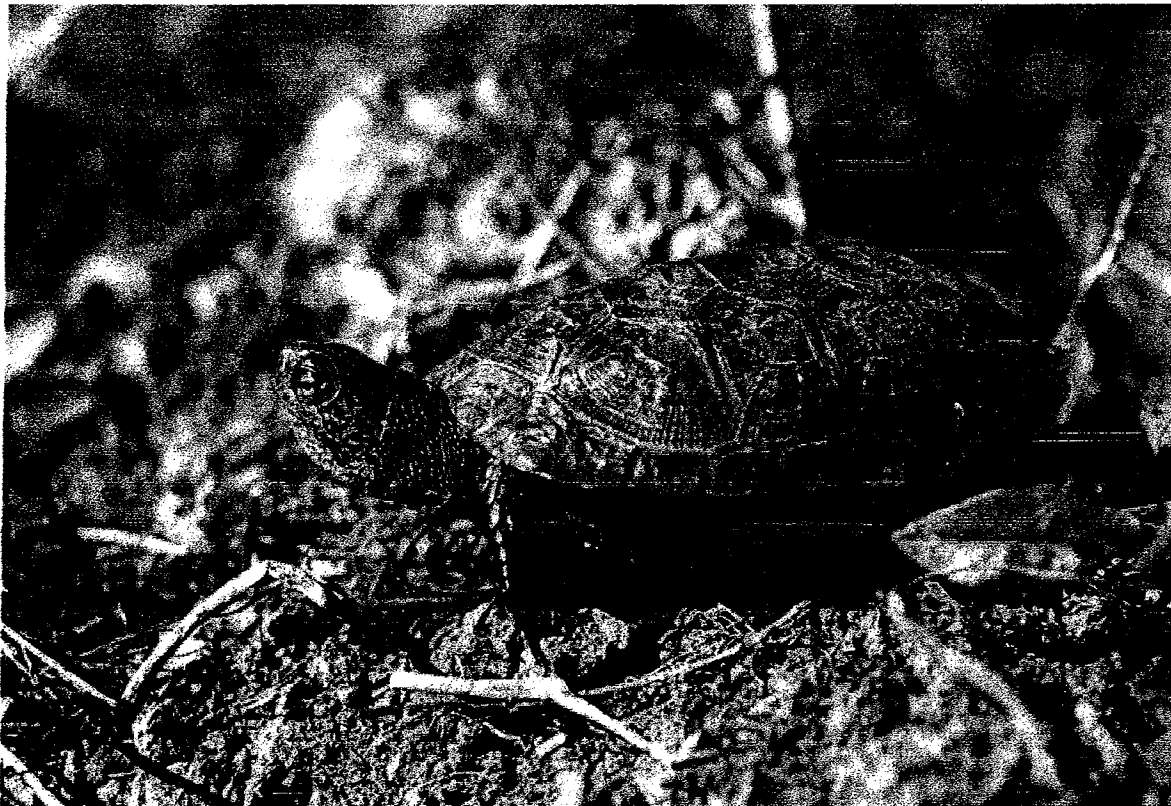


Figure 6: Southwestern Pond Turtle

The Southwestern pond turtle is a moderate-sized (4.7 to 8.26 inch carapace length), drab brown or khaki-colored turtle lacking prominent markings on its carapace. At close range, the carapace can frequently be observed to have a fine, vermiform reticulum of light and dark markings.

Males frequently develop a light un-mottled throat and lower facial area as they become sexually mature. Markings become even more prominent (contrasting) with increasing age; females typically retain the mottled or darker-colored throat and facial area juveniles possess into adulthood. The belly or plastron is variously marked with varying degrees of dark and light markings; turtles sometimes have an entirely dark or an entirely light plastron. The iris is straw-colored with a brown eye stripe extending through the eye.

Historically, the Southwestern pond turtle had a relatively continuous distribution in most Pacific slope drainages. The known elevation range of the Southwestern pond turtle extends from near sea level to 4700 feet. In California, it was historically present in most Pacific slope drainages between the Oregon and Mexican borders.

Clemmys marmorata is an aquatic turtle that usually leaves the aquatic site to reproduce, to aestivate, and to over-winter. Recent fieldwork has demonstrated that Southwestern pond turtles may over-winter on land or in water, or may remain active in water during the winter season; this pattern may vary considerably with latitude and habitat type and remains poorly understood. Southwestern pond turtles markedly increase their level of activity when water temperatures near the surface consistently reach at least 59°F. Thus, along the central and southern coast of California, southwestern pond turtles may be active year-round, whereas at interior localities or at higher latitudes in California, *C. marmorata* typically become active in March or April, and disappear to over-wintering sites in October or November. The most prominent part of southwestern pond turtle behavior is the activities they perform to thermo-regulate, which vary with ambient temperature based on time of day and season. Turtles frequently perform aerial basking on logs or other objects out of the water when water temperatures are low and air temperatures are greater than water temperatures. Temperature preference of southwestern pond turtles is not well understood, but they generally seem to avoid water at temperatures greater than 102°F. When air temperatures become too warm, generally when they exceed 104°F, (especially at interior localities), southwestern pond turtles water bask by lying in the warmer surface water layer with their heads out of water. Mats of submerged vegetation, such as pondweed (*Potamogeton spp.*) and ditch grass (*Ruppia maritima*), are favored water basking locations because these mats trap surface water thus maintaining even higher surface water temperatures, and turtles require less energy to maintain their position in the surface layer when such a vegetation structure is present.

Southwestern pond turtles require some slack- or slow-water aquatic habitat. Southwestern pond turtles are uncommon in high gradient streams probably because water temperatures, current velocity, food resources, or any combination thereof may limit their local distribution. Habitat quality seems to vary with the availability of aerial and aquatic basking sites; southwestern pond turtles often reach higher densities where many aerial and aquatic basking sites are available. Hatchlings (i.e. individuals through their first year of activity) require shallow water habitat with relatively dense submergent or short emergent vegetation in which to forage. Southwestern pond turtles also require an upland oviposition site in the vicinity of the aquatic site. Suitable oviposition sites must have the proper thermal and hydric environment for incubation of the eggs. The porcelain-thin shelled eggs of *C. marmorata* are suited to development in a dry nest; an excessively moist nest has a high probability of failing. Nests are typically dug in a substrate with high clay or silt fraction since the female moistens the site where she will excavate the nest

prior to nesting. Nests also are typically located on a slope that is unshaded that may be at least in part south-facing, probably to ensure that substrate temperatures will be high enough to incubate the eggs. How close the aquatic site is to the nesting site probably depends largely on the availability of suitable nesting sites adjacent to aquatic sites where southwestern pond turtles are known to occur because the array of features that make a nesting site suitable may significantly limit the availability of such sites. The nesting site can be up to 440 yards from the aquatic site, but the majority of nests located to date are within 218 yards. However, at localities with less gradient, soil moisture gradients and soil type may cause nesting sites to be located at a significantly greater distance than where the majority are located. Slope of the nest sites range up to 60°, but most nests are on slopes greater than 25° (CDFG, 2007).

One irrigation reservoir exists on the Subject Property that could support southwestern pond turtles. This reservoir is isolated and is more than four and a half miles from any other known perennial or long term bodies of water capable of supporting turtles. The reservoir is maintained by periodically removing the vegetation in and around the edges and the bottom dredged to maintain capacity. The reservoir was visually inspected and observed for pond turtle activity. No turtles were observed in or around the reservoir. The site investigation revealed the reservoir lacks appropriate aerial and aquatic basking sites. Only a few small trees are present on the south shore of the reservoir and no woody debris or other structures typically utilized for basking sites were present. Hatchlings (i.e. individuals through their first year of activity) require shallow water habitat with relatively dense submergent or short emergent vegetation in which to forage. The bottom contour of the reservoir drops off quickly, starting from the shoreline, leaving very few shallow areas. Based on existing site conditions, routine pond maintenance activities, lack of sufficient basking sites, and lack of dense submergent vegetation, it is unlikely that southwestern pond turtles occur on the Subject Property.

3.3.1.3 *Scaphiopus hammondi*



Figure 7: Western Spadefoot Toad

The western spadefoot toad is a moderate-sized (1.45-2.44 inches SUL) greenish, grayish, or brownish toad irregularly marked with dark orange or reddish-tipped tubercles; having faint hourglass markings on the back consisting of four irregular, light-colored stripes; and possessing a distinctive, black, cornified, teardrop-shaped spade on each hind foot. Hind limbs are short, and undersurfaces are cream to dirty white.

This near endemic to California ranges from the vicinity of Redding, Shasta County, southward into northwestern Baja California, Mexico. Its known elevation range extends from near sea level to 4500 feet above sea level. *Scaphiopus hammondi* is almost completely terrestrial, entering water only to breed. Western spadefoots become surface active following relatively warm (50-55°F) rains in late winter-spring and fall, emerging from burrows in loose soil to a depth of at least 1 m, but surface activity may occur in any month between October and April if enough rain has fallen. Females deposit eggs attached to plant stems or pieces of detritus in temporary rain pools, or sometimes pools in ephemeral stream courses. The critical thermal minimum of early embryos is 48.2°F, so oviposition does not occur until temperatures permit some warming of rain pools in late winter. Depending on the temperature regime and annual rainfall, oviposition may occur between late February and late May.

Eggs hatch in 0.6 to 6 days, depending on temperature, and larval development can be completed in 3 - 11 weeks, the variation depending on food resources and temperature. Adults have a moderate stomach capacity (they can eat roughly 11% of their body mass at a single feeding) and can probably acquire enough energy to survive the long annual dormancy interval in a few weeks. Known food items taken include crickets, butterflies, beetles, flies, ants, and earthworms. California tiger salamanders, garter snakes, great blue herons, and raccoons are probably the most important predators of larval and post-metamorphic *S. hammondi*. No data are available on the movement ecology of *S. hammondi*.

Western spadefoots require temporary rain pools with water temperatures of 48.2°F to 86°F in which to reproduce and that last 3 weeks in order to metamorphose successfully. Rain pools in which western spadefoots reproduce and from which they are able to metamorphose successfully lack fishes, bullfrogs, and crayfishes; many indications exist that *S. hammondi* cannot recruit successfully in the presence of exotic predators, primarily introduced fishes, but also bullfrogs and crayfishes. Soil characteristics of burrow refuge sites that western spadefoots use have not been studied, but if they are similar to those of *S. multiplicatus*, the soil may become fairly compact and hard during the season of summer aestivation (CDFG, 2007).

Western spadefoot toads require similar habitat to vernal pool fairy shrimp. Temporary puddles were observed on the Subject Property after the recent large storm events. None of the observed depressions or low spots that collect and hold water on the Subject Property was determined to hold water for a sufficient amount of time to facilitate the western spadefoot toad life cycle. Periodic disking of the grassland areas of the Subject Property also reduces the likelihood of these areas being utilized for summer aestivation. Based on existing site conditions, current landuse of the site, routine landscape maintenance activities, and lack of sufficient ponding time on-site, it is unlikely that western spadefoot toads occur on the Subject Property.

4.0 REGULATORY OVERVIEW

4.1 Endangered Species Act of 1973 (U.S. Code Title 16, Chapter 35)

The Federal Endangered Species Act ("FESA") provides legislation to protect federally listed plant and animal species. Impacts to listed species resulting from the implementation of a project would require the responsible agency or individual to formally consult with the United States Fish and Wildlife Service ("USFWS") or National Marine Fisheries Service ("NMFS") to determine the extent of impact to a particular species. If the USFWS or NMFS determines that impacts to a species would likely occur, alternatives and measures to avoid or reduce impacts must be identified. No federal listed plants or animals are expected to occur on the Subject Property. Implementation of the proposed project is therefore not expected to result in direct impacts to any federal-listed species.

4.2 California Endangered Species Act (CDFG Section 2050, Division 3, Chapter 1.5)

The State of California Endangered Species Act ("CESA") ensures legal protection for plants listed as rare or endangered and species of wildlife formally listed as endangered or threatened. The state also lists "Species of Special Concern" based on limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the California Department of Fish and Game is empowered to review projects for their potential to impact state-listed species and California Special Concern species, and their habitats. No state-listed plants or animals are expected to occur on the Subject Property. Implementation of the proposed project is therefore not expected to result in direct impacts to any state-listed species.

4.3 Other Sections of the State of California Fish and Game Code

Fully Protected and Protected species may not be taken or possessed without a permit from the Fish and Game Commission and / or the CDFG. Information on these species can be found within Section 3511 (birds), Section 4700 (mammals), Section 5050 (reptiles and amphibians), and Section 5515 (fish) of the Fish and Game Code. Relative to the proposed project, provisions of this code are not expected to apply to any of the species having potential to occur on the Subject Property.

4.4 Migratory Bird Treaty Act of 1918

The Migratory Bird Treaty Act ("MBTA") protects all migratory birds, including their eggs, nests, and feathers. The MBTA statute was originally implemented in 1916 Convention between the U.S. and Great Britain (for Canada) for the protection of migratory birds. Later amendments implemented treaties between the U.S. and Mexico, Japan and the Soviet Union (now Russia). The MBTA was originally drafted to put an end to the commercial trade in bird feathers popular in the latter part of the 1800's. Within the scope of the present BA, the MBTA protects raptors in the vicinity of the Subject Property. The MBTA is enforced by the USFWS.

5.0 IMPACT ASSESSMENT

This impact assessment focuses on identifying potential impacts associated with implementation of the proposed project. The emphasis is on determining the effects of the proposed project on sensitive species that have the potential for occurring on the property. Adverse impacts are expected to occur where proposed construction or development activities would result in temporary or permanent modification to sensitive habitats, or to habitats occupied by sensitive species. Where potential project-related impacts (either direct or indirect) to sensitive resources have been identified, measures for avoiding, minimizing, or mitigating adverse effects to these resources have been identified.

5.1 Sensitive Communities and Habitat Types

Valley oaks (*Quercus lobata*) were found to occur on the Subject Property; however these trees will not be impacted by the proposed development. No other sensitive habitats were observed on the Subject Property. The project proposes to disturb 15.3 acres of California annual grassland, 0.8 acres of coyote bush scrub and 4.6 acres of ruderal habitats. Based on the existing conditions of the habitat types on-site, the intensive management and daily disturbance of the habitat areas SDC has determined that the project will not significantly impact sensitive communities or habitat types on the Subject Property.

5.2 Sensitive Species

No sensitive species were determined to occur on of the Subject Property. San Joaquin kit fox habitat was determined to be present on the Subject Property and suitable mitigation measures were recommended by Althouse and Meade Inc. (Appendix C). Based on existing site conditions, current landuse of the site, routine landscape maintenance activities, and lack of sufficient ponding time on-site, it is unlikely that other potential sensitive floral and faunal species occur on the Subject Property. The proposed project with recommended mitigation measures (Appendix C) will not result in significant impacts to sensitive species.

5.3 Off-Site Improvements

Proposed off-site improvements for the project include an approximately 6 acre ingress/egress route along the eastern boundary of the Paso Robles Municipal Airport property. The Dry Creek Road Extension area was surveyed and the existing conditions of the area were mostly bare dirt with some small areas of ruderal and grassland habitats. The project area had been recently disked for fire suppression and a perimeter security fence had been installed along the northeast boundary. The ongoing management activities render the area of low habitat value for any sensitive species and no sensitive habitats occur on-site. The Dry Creek Road Extension will not result in any significant impacts to biological resources.

5.4 Potential Construction and Operational Impacts

There is a potential for birds to nest (nesting season: April 1st thru August 30th) on the project site and the off-site improvement area within the annual grassland habitat areas. If disturbance related to the project is proposed during the nesting season, a qualified biologist shall conduct a nesting bird survey immediately prior (within three days) to the disturbance to determine whether birds are currently nesting in the area. If nesting birds are identified during the survey, no work will take place in that area until it is determined that the young birds have fledged, or the adults have vacated the nest area for natural reasons.

Mitigation Measure 1: Nesting bird surveys shall be conducted prior to any site disturbance initiated between the dates of April 1st and August 30th.

5.5 Potential for Proposed Project to Increase Bird-Strike Hazard to Aircraft

No new features that could be expected to increase the number or frequency of birds occurring on the Subject Property are proposed. The proposed project will reduce the potential habitat currently available to birds by the addition of buildings where open field now occurs. The increase in the number of people present in the area and the disturbance associated with the businesses that will utilize the proposed structures on the Subject Property is expected to decrease the number and frequency of birds present.

The project site is located adjacent to hundreds of acres of vineyard located to the north of the Subject Property. Large flocks of European starlings and Brewer's black birds occur commonly in the vineyard adjacent to the Subject Property and the airport. None of the plant species included in the landscape design plant palette, or the design of the proposed project are anticipated to significantly increase the likelihood of bird-strike hazard to aircraft beyond the existing conditions.

6.0 FINDINGS AND CONCLUSIONS

SIERRA DELTA CORPORATION ("SDC") conducted a Biological Assessment ("BA") for the Subject Property identified as Assessor's Parcel Numbers ("APN") 025-441-041, 044, and 045. The Subject Property is located approximately 5.6 miles northwest of the city of Paso Robles, California, just to the west of Jardine Road. The BA was requested by Kirk Consulting on behalf of Mr. Kelly Gearhart of Gearhart Development and conducted between December 22, 2006 and January 30, 2007. SDC conducted a comprehensive BA for a larger project proposal on the Subject Property in January 2005. The scope of work for this report included site reconnaissance to determine any changes to existing conditions, current reviews of faunal and floral databases, and revisions of impact analysis and recommendations given the changes to the previously proposed project description and any observed changes to existing conditions of the site.

The BA findings are summarized in the following section.

6.1 Summary of Findings

Based on site reconnaissance, reviews of faunal and floral databases and review of assessments conducted in the vicinity of the Subject Property, SDC determined that no sensitive plant or animal species are expected to occur on the Subject Property. Based on the site reconnaissance, the size, location, and condition of the Subject Property and surrounding properties, impacts to natural communities were determined to be low with incorporation of recommended mitigation measures and no adverse impacts to sensitive species are expected. No significant impacts are expected to result from the proposed off-site improvements including the proposed Dry Creek Road Extension. The proposed project is not expected to increase bird-strike hazard to aircraft using the adjacent Paso Robles Municipal Airport. Due to the potential for grading and construction activities to impact nesting birds the following mitigation measure was recommended:

Mitigation Measure 1: Nesting bird surveys shall be conducted prior to any site disturbance initiated between the dates of April 1st and August 30th.

The following wildlife species were identified as having a potential to occur in the region of the property, however, based on existing site conditions, current landuse of the site, routine landscape maintenance activities, and lack of sufficient ponding time on-site, it is unlikely that these species occur on the Subject Property.

- *Vernal pool fairy shrimp (Branchinecta lynchi)* - need at least 2 weeks or more to complete their lifecycle. Vernal pool habitat required for the life cycle of vernal pool fairy shrimp does not occur on the Subject Property. Puddles do form on the Subject Property after storm events but do not remain for a sufficient amount of time to support the life cycle of this species. Based on existing site conditions, current landuse of the site, routine landscape maintenance activities, and lack of sufficient ponding time on-site, it is unlikely that vernal pool fairy shrimp occur on the Subject Property.

- **Western spadefoot toads (*Spea hammondi*)** - need at least three weeks to complete their lifecycle. Rain pool habitat does form on the Subject Property after storm events but does not remain for a sufficient amount of time to support the life cycle of this species. Based on existing site conditions, current landuse of the site, routine landscape maintenance activities, and lack of sufficient ponding time on-site, it is unlikely that western spadefoot toads occur on the Subject Property.
- **Southwestern pond turtles (*Clemmys marmorata*)** - one irrigation reservoir exists on the Subject Property that could be utilized by southwestern pond turtles. The reservoir is isolated and is approximately four and one half miles from any other known perennial or long term bodies of water capable of supporting this species. The reservoir is maintained by periodically removing the vegetation and dredging to maintain capacity. No evidence of turtles was observed during site visits. Based on existing site conditions, routine pond maintenance activities, lack of sufficient basking sites, and lack of dense submergent vegetation, it is unlikely that southwestern pond turtles occur on the Subject Property.
- **San Joaquin kit fox (*Vulpes macrotis mutica*)** - San Joaquin kit fox habitat was determined to be present on the Subject Property and suitable mitigation measures were recommended by Althouse and Meade Inc. (Appendix C). The proposed project with recommended mitigation measures (Appendix C) will not result in significant impacts to San Joaquin kit fox.

7.0 REFERENCES

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8.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESIONALS AND FIRM

8.1 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

8.1.1 *Steven W. Carothers*

NAME & TITLE: Steven W. Carothers
Senior Company Officer

PROJECT ASSIGNMENT: Project Director

FIRM ASSOCIATION: Sierra Delta Corporation

EXPERIENCE WITH FIRM: 15 years

WITH OTHER FIRMS: 25 years

EDUCATION: Ph.D. / Zoology / University of Illinois
M.S. / Biology / Northern Arizona University
B.S. / Biology / Northern Arizona University

8.1.1.1 *Experience and Qualifications*

As a Senior Company Officer for SDC, Dr. Carothers has brought a wide diversity of experience in creative solutions for perceived conflicts between human use of natural resources and environmental protection. Dr. Carothers is an aquatic and terrestrial biologist with over 25 years of experience in ecological research environmental planning, and management. The diversity of Dr. Carothers' academic and professional experience enables him to work effectively in a wide array of natural resource-related disciplines. His specialties include endangered species, riparian ecology, environmental planning, management of interdisciplinary study teams, and the formulation of environmental mitigation plans. His experience integrates scientific knowledge with the needs and goals of industry, community developers, recreationists, resource managers, and government agencies. He has served as principal investigator and project manager for environmental assessments, resource inventories, land-use planning studies, environmental and human carrying-capacity studies, endangered species assessments, revegetation projects, recreational impact studies, river management plans, and master plans for large developments. Dr Carothers has successfully coordinated consulting efforts with personnel from numerous government agencies, including the Army Corp of Engineers, Bureau of Reclamation, Bureau of Land Management, National Park Service, U.S. Forest Service, Soil Conservation Service, Arizona State Parks, Nevada Division of Wildlife, and several others. Evaluation of long-term impacts on biological communities of development, recreation, and resource utilization are of particular interest to Dr. Carothers.

8.1.2 Kelly Gillogly

NAME & TITLE: Kelly Gillogly
Principal Biologist

PROJECT ASSIGNMENT: Principal-in-Charge

FIRM ASSOCIATION: Sierra Delta Corporation

EXPERIENCE WITH FIRM: 3 years

WITH OTHER FIRMS: 5 years

EDUCATION: B.S. / 1995 / Fish and Wildlife Resources / University of Idaho.

8.1.2.1 Experience and Qualifications

As Principal Biologist for SDC, Mr. Gillogly's responsibilities include conducting and managing biological assessments and investigations for the firm's Paso Robles, California office. He has conducted multiple terrestrial and aquatic investigations for rare, threatened and endangered species. These surveys include, but are not limited to, the San Joaquin kit fox (*Vulpes macrotis mutica*), the California red-legged frog (*Rana aurora draytonii*), the Southwest pond turtle (*Clemmys marmorata pallida*), and Steelhead (*Oncorhynchus mykiss*). He is responsible for overseeing agency coordination, survey planning, data collection, surface mapping, and report preparation designed to meet all federal, state, and county requirements. Mr. Gillogly also has experience in ecological research and botanical assessments including the preparation of environmental assessments and environmental impact statements. His expertise involves integrating environmental solutions and mitigation with plans for community development and he is responsible for reporting to clients that include both government agencies and private sector developers.

8.1.3 Stephanie Seay

NAME & TITLE: Stephanie Seay
Consulting Scientist

PROJECT ASSIGNMENT: Consultant

FIRM ASSOCIATION: Sierra Delta Corporation and Seay Biological Consulting

EXPERIENCE WITH FIRM: 6 years

WITH OTHER FIRMS: 3 years

EDUCATION: B.S. / 1990 / Ecology and Systematic Biology / California Polytechnic University, San Luis Obispo

8.1.3.1 Experience and Qualifications

As a Supervising Field Professional for SDC, Ms. Seay's responsibilities include conducting and managing botanical and biological surveys and investigations for the firm's Paso Robles,

California office. She has conducted several rare, threatened and endangered species surveys for the San Joaquin kit fox (*Vulpes macrotis mutica*), the California red-legged frog (*Rana aurora draytonii*), the Stevens kangaroo rat (*Dipodomys stephensi*), the Morro shoulderband snail (*Helminthoglypta walkeriana*), and the Monarch butterfly (*Danaus plexippus*). She is responsible for agency coordination, survey planning, data collection, surface mapping, and report preparation designed to meet all federal, state, and county requirements. Ms. Seay also has experience in ecological research and botanical assessments that include Chorro Creek bog thistle (*Cirsium fontiale*), California jewel flower (*Caulanthus californicus*), Gambel's watercress (*Rorippa gambelii*), Morro manzanita (*Arctostaphylos morroensis*), and Marsh sandwort (*Arenaria paludicola*). She has conducted the preparation of environmental assessments and environmental impact statements. Her expertise involves integrating environmental solutions and mitigation with plans for community development and she is responsible for reporting to clients that include both government agencies and private sector developers.

8.1.4 Cletis England

NAME & TITLE: Cletis England
Field Biologist

PROJECT ASSIGNMENT: Project Biologist

FIRM ASSOCIATION: Sierra Delta Corporation

EXPERIENCE WITH FIRM: 3 months

WITH OTHER FIRMS: 4 years

EDUCATION: B.S. / 2000 / Ecology and Systematic Biology / California Polytechnic University, San Luis Obispo.

8.1.4.1 Experience and Qualifications

As a Field Biologist for SDC, Mr. England's responsibilities include conducting biological assessments and investigations for the firm's Paso Robles, California office. He has conducted multiple protocol level surveys for rare, threatened and endangered species. These surveys include, but are not limited to, the San Joaquin kit fox (*Vulpes macrotis mutica*), the California red-legged frog (*Rana aurora draytonii*), Steelhead (*Oncorhynchus mykiss*), Coho salmon (*Oncorhynchus kisutch*), the Southwestern pond turtle (*Clemmys marmorata pallida*), Western spadefoot toad (*Spea hammondi*), and the Burrowing owl (*Athene cunicularia*). He also served as lead biologist for population monitoring and habitat evaluation for sensitive species. He is responsible for coordination with agency representatives, data collection and interpretation, literature reviews, and report preparation. Mr. England also has experience in arborist reports, environmental assessments, environmental monitoring, botanical assessments, surface mapping, and preparing management plans for conservation areas. His expertise involves identifying potential biological constraints and interpreting the significance of these constraints in relation to project development.

8.2 QUALIFICATIONS OF FIRM

SDC was founded in 1985, and offers environmental consulting services. The following sections provide a brief discussion of environmental services provided by SDC.

8.2.1 *Ecological Services*

The SDC team possesses the technical skill and experience to design and conduct a variety of ecological and environmental investigations. Many of the investigations recently conducted have been, and are, conducted in conjunction with the planning of industrial, commercial, and residential projects. Included areas of specialization:

- aquatic and terrestrial ecology
- botany
- flood plain reclamation
- grazing management
- geomorphology
- hydrology
- mitigation planning
- riparian habitat studies
- soil science
- visual quality analysis
- water rights surveys
- water quality analysis
- water resources management
- wildlife management
- wildlife biology

8.2.2 *Biological Assessments*

8.2.2.1 *Reconnaissance Surveys*

SDC provides comprehensive consulting services for the study of the natural environment. SDC's professional ecologists have experience in a wide variety of ecological settings and project types and can design and conduct the appropriate ecological studies to resolve the needs of each specific project. Many times a minimal level ecological survey is sufficient to characterize a particular environmental setting in order to satisfy regulatory concerns. These surveys are limited to literature searches, aerial photograph interpretation, and non-quantitative observations by qualified professionals.

8.2.2.2 *Habitat Evaluations*

In situations where more detailed information is required to make a quantitative assessment or to resolve a controversial issue, SDC performs a Habitat Evaluation Study. Habitat evaluations are designed to provide documentation of the quantity and quality of existing natural resources, and

to predict how these resources will change both naturally, and as a result of proposed actions. Habitat evaluations extend beyond the scope of a Reconnaissance Survey to include quantitative sampling and analysis.

8.2.2.3 *Natural Resource Management*

Efficient use of a natural resource is best accomplished through the application of ecological principles to resource management, in order to assure wise land use practices. SDC can prepare management plans to enhance renewable natural resources or to reclaim or replace resources lost to previous development. Practical natural resource planning can be used to mitigate the environmental effects of a project as well as to offset the unavoidable loss of similar resources where mitigation is not possible or practical.

8.2.2.4 *Threatened and Endangered Species Surveys*

8.2.2.4.1 *Threatened & Endangered Surveys (Flora)*

SDC possesses the skill and experience necessary to conduct a variety of vegetation studies. These studies include surveying for threatened, endangered, rare, protected, and sensitive species of plants. SDC has provided vegetation assessments, involving identifying the vegetation community and dominant species, for a wide range of purposes including wetlands delineation, defining wildlife habitat, mapping plant communities, noting diversity and abundance of species, recording plant density and cover, indicating soil types and groundwater levels, and in describing the "Affected Environment" for Environmental Assessments and Impact Statements.

SDC also has experience in vegetation salvage and revegetation techniques that include flagging vegetation to be avoided or recovered, transplanting or removing rare species, collecting seed and stockpiling topsoil of rare plants, stockpiling, replanting or removing salvaged vegetation, scarifying or imprinting the soil surface to partially reverse the effects of soil compaction and to create a pattern for catching seeds and water, and broadcast seeding.

Sensitive species of plants may include those that are listed (or candidates for listing) by federal or state agencies. These surveys include field inspections and consultation with the appropriate local, state, and federal agencies. SDC's experience also includes the preparation of reports, based on the findings of both the field surveys and the agency consultations. These reports identify any rare plants that were encountered or any possible habitat that exists on the surveyed property. The location of each sensitive plant species encountered is flagged, mapped, and recorded on Rare Plant Field Survey Forms.

Mitigation for rare plants may include avoidance or collection. When avoidance is not feasible, SDC has successfully applied for the necessary permits and collection licenses in order to employ various methods of mitigation, including the collection of seeds and topsoil, replanting, stockpiling for salvage, and commercial harvest.

8.2.2.4.2

Threatened & Endangered Surveys (Fauna)

SDC has assisted numerous clients with Endangered Species Act compliance. When federal agencies, such as the Bureau of Land Management (BLM), Housing and Urban Development (HUD), Department of Defense (DOD), and the Bureau of Indian Affairs (BIA), have been involved in projects, SDC has provided services that have included formal Section 7 Consultations with the U.S. Fish and Wildlife Service. SDC has had considerable experience in surveying for the following sensitive birds, fish, small mammals, and reptiles:

- Bald eagle (Haliaeetus leucocephalus)
- Mexican spotted owl (Strix occidentalis lucida)
- Northern goshawk (Accipiter gentilis)
- Peregrine falcon (Falco peregrinus)
- Yuma clapper rail (Rallus longirostris)
- Colorado cutthroat trout (Oncorhynchus clarki pleuritus)
- Steelhead (Oncorhynchus mykiss)
- razorback sucker (Xyrauchen texanus)
- California red-legged frog (Rana aurora draytonii)
- Monarch butterfly (Danaus plexippus)
- San Joaquin kit fox (Vulpes macrotis mutica)
- Stevens kangaroo rat (Dipodomys panamintinus)

**APPENDIX A
SITE PLANS**



DESIGN GROUP, INC.
CIVIL & ENVIRONMENTAL ENGINEERING
PROJECT MANAGEMENT

GEARHART DEVELOPMENT CORPORATION
VISTA DE HOMBRE
PASO ROBLES, CA

APN: 028-44-001-044, 045
CONTRACT NO: 04-06-07
SHEET NO. 1 OF 14

DATE: 11-14-08
DRAWN BY: MAB
CHECKED BY: JAC

REVISIONS

MASTER PLAN OF DEVELOPMENT

Sheet Number: C1.0

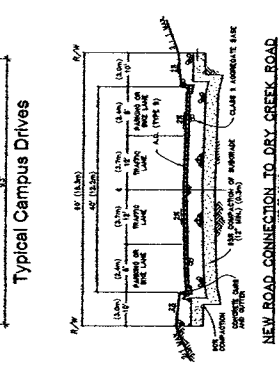
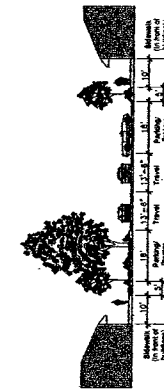
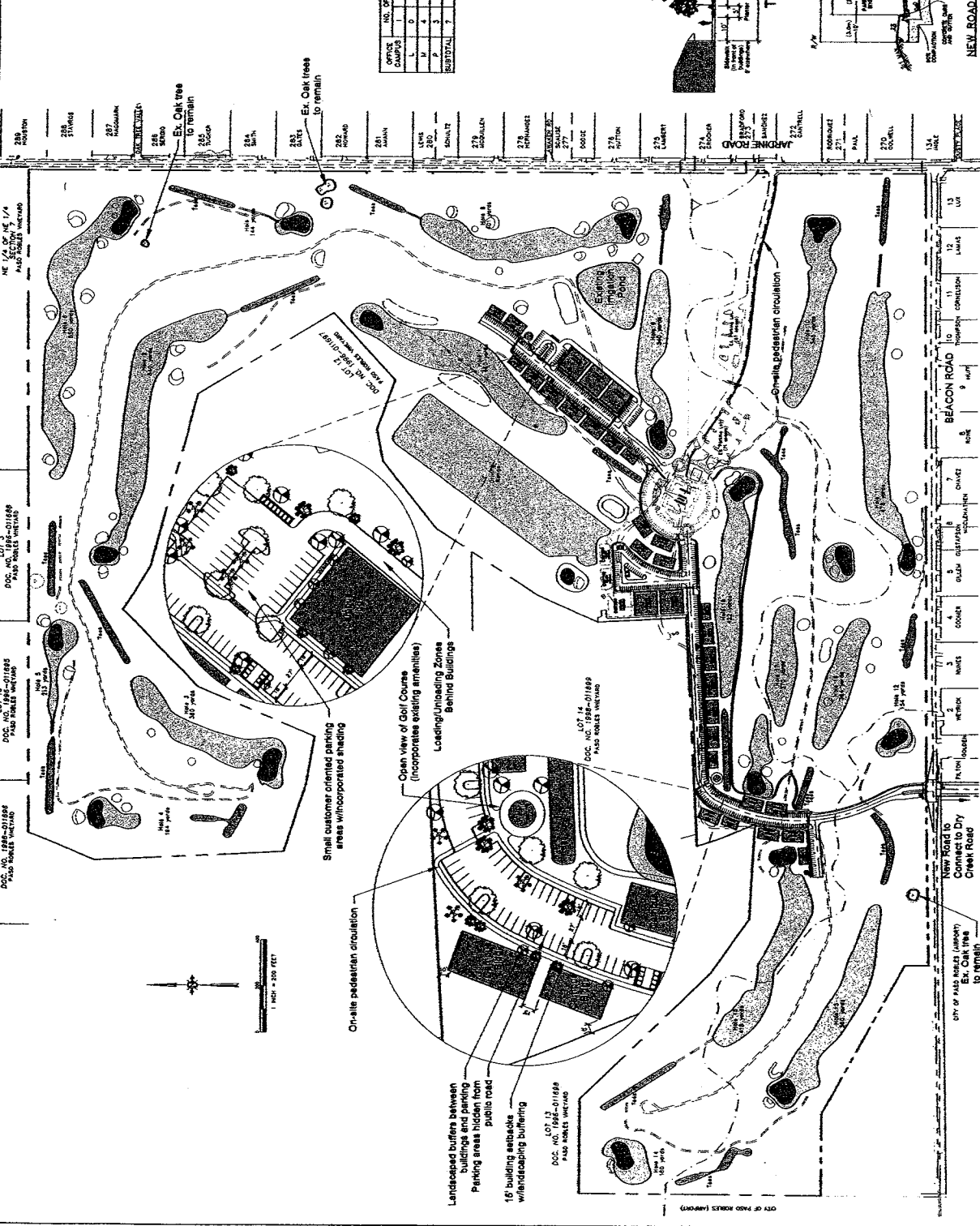
PROJECT SUMMARY

PROPOSED ZONING: SP 17/SUPPORT OVERLAY (ZONE 4)-HO CHANGE
EXISTING ZONING: SP 17/SUPPORT OVERLAY (ZONE 4)
TOTAL AREA: 250.0 AC
TOTAL TRACT AREA: 1,000.0 AC
TOTAL TRACT AREA LESS EXISTING DEVELOPMENT: 750.0 AC

| TYPE | SIZE (SF) |
|------|-----------|
| I | 250,000 |
| II | 10,000 |
| III | 5,000 |
| IV | 10,000 |

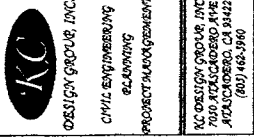
| NO. OF BUILDINGS BY TYPE | | TOTAL SF OF BUILDINGS | |
|--------------------------|----|-----------------------|---------|
| I | II | I | II |
| 0 | 0 | 0 | 0 |
| 1 | 0 | 250,000 | 10,000 |
| 4 | 7 | 40,000 | 35,000 |
| 3 | 3 | 15,000 | 15,000 |
| 3 | 3 | 15,000 | 15,000 |
| 7 | 14 | 70,000 | 140,000 |
| SUBTOTAL | 17 | 390,000 | 215,000 |

(External parking areas only)



APPROVED BY: [Signature]

CITY OF PASO ROBLES (LAPOR)



CIVIL ENGINEERING
 PLANNING
 PROJECT MANAGEMENT

 KC CONSULTING GROUP, INC.
 7000 RIVERCROFT AVENUE
 ATASCADERO, CA 93422
 (805) 462-2960

Project Name & Location

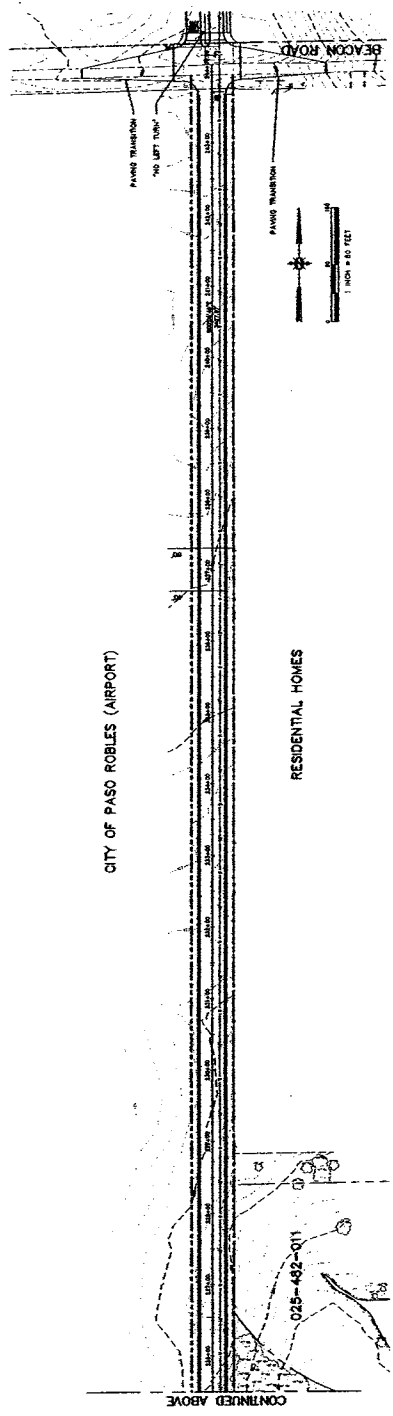
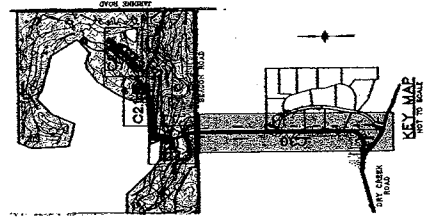
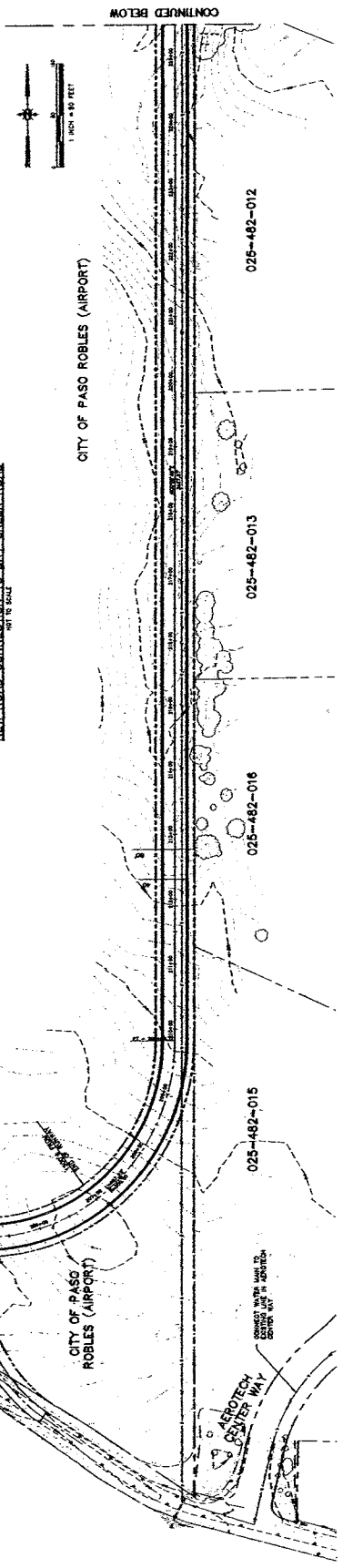
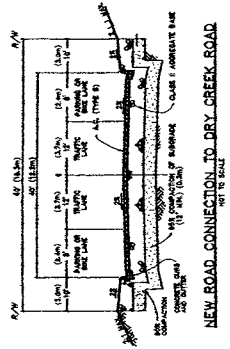
 GEARHART
 DEVELOPMENT
 CORPORATION
 VISTA DE HOMERE
 PASO ROBLES, CA
 APN: 025-441-041, 044,
 045
 SOUTH - SECTION
 44.1 44.2 44.3 44.4 44.5 44.6 44.7 44.8 44.9 45.0

DATE: 11-01-08
 DRAWN BY: MAB
 CHECKED BY: KJC
 REVISIONS:

PRELIMINARY
 STREET
 IMPROVEMENT
 PLAN

 Sheet Number
C3.0

3:35 (10/01/08) 10/23/2008 9:23:48 AM P1



APPENDIX B
SITE PHOTOGRAPHS



Photograph 1, December 30, 2004: View facing north showing the typical landscape of the golf course on the Subject Property.



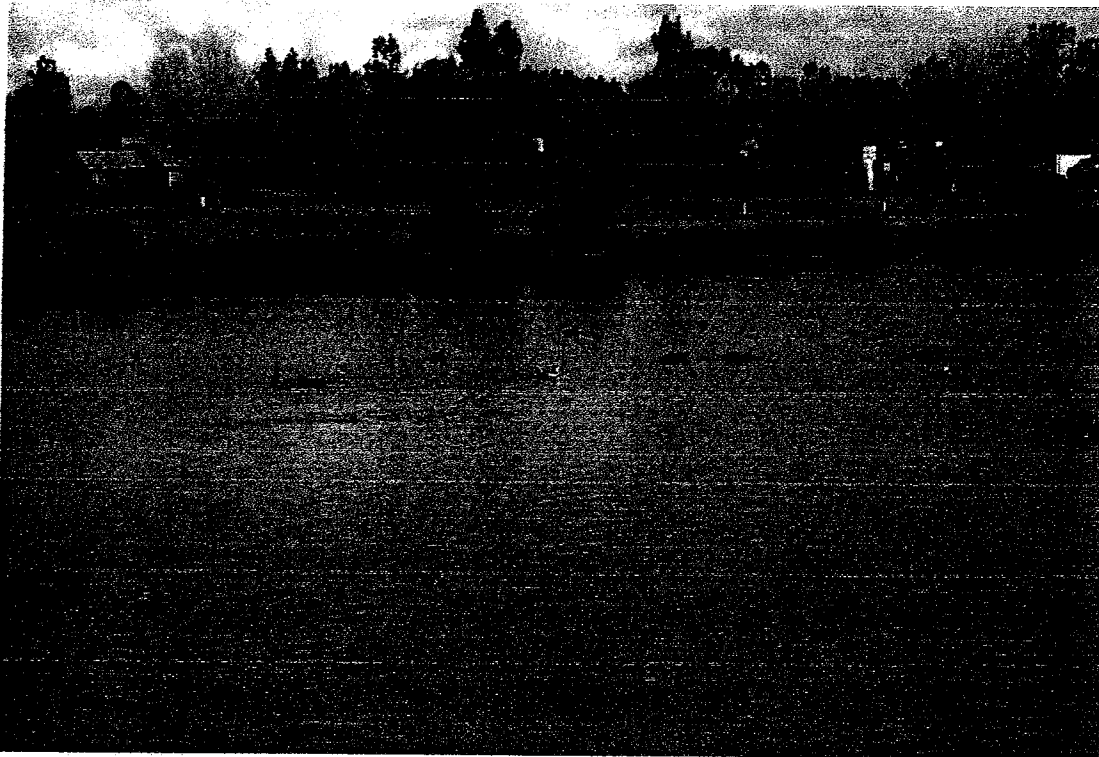
Photograph 2, December 30, 2004: View facing north from the southwest corner of the Subject Property showing the non-native grassland that occurs on the site. The main drainage channel exits the property at the low spot along the fence line to the left of center.



Photograph 3, December 30, 2004: View facing west from the parking area just off Jardine Road showing the Club House and rental carts.



Photograph 4, December 30, 2004: View facing east showing the irrigation reservoir. Very little vegetation exists in and around the reservoir.



Photograph 5, December 30, 2004: View facing east showing the typical vegetation along the shoreline of the irrigation pond.



Photograph 6, December 30, 2004: View facing east towards Jardine Road from the southwest corner of the Subject Property.



Photograph 7, December 22, 2006: View facing north showing the existing conditions of the annual grassland and coyote brush habitats on the Subject Property.



Photograph 8, January 16, 2007: View facing south along the proposed Dry Creek Road Extension parallel to the eastern boundary securing fence for Paso Robles Municipal Airport.



Photograph 9, January 16, 2007: View facing south of proposed Dry Creek Road extension. Photo point at southern terminus of security fence. Note the disked field area and existing remnant patch of annual grassland and ruderal habitats.

APPENDIX C
SAN JOAQUIN KIT FOX HABITAT ASSESSMENT
ALTHOUSE AND MEADE, INC.

Kit Fox Habitat Evaluation Form

Cover Sheet

Project Name **The Links project**

Date **1-18-2007**

APN 025-441-041, 044, 045

Project Location **5151 Jardine Road
Paso Robles, CA 93446**

Include project vicinity map and project boundary on copy of U.S.G.S. 7.5. minute map (size may be reduced)

U.S.G.S. Quad Map Name **Estrella, Paso Robles**

Lat/Long or UTM coordinates (if available) **10S 7162968mE
3950765mN**

Project Description: 154,340 square feet of light industrial and commercial buildings with associated roads and parking lots.

Project Size: **22.5 acres**

Amount of Kit Fox Habitat Affected: **22.5 acres**

Quantity of WHR Habitat Types Impacted (i.e. - 2 acres annual grassland, 3 acres blue oak woodland)

| | | |
|------------------|------------------------------------|-------------------|
| WHR type | Coyote bush scrub | 0.8 acres |
| | Ruderal | 4.6 acres |
| | California annual grassland | 15.3 acres |
| Non WHR habitats | Turf grass | 1.3 acres |
| | Cart paths | 0.4 acres |
| | Trimming pile | 0.1 acres |
| | Total | 22.5 acres |

Comments:

Please see attached comments.

Form Completed by: _____

Daniel E Meade

Revised 03/02

San Joaquin Kit Fox Habitat Evaluation Form

Is the project within 10 miles from a recorded San Joaquin kit fox observation or within contiguous suitable habitat as defined in Question 2(A-E)?

YES – Continue with evaluation form

NO – Evaluation form/surveys are not necessary

1. Importance of the project area relative to Recovery Plan for Upland Species of the San Joaquin Valley, California (Williams et al, 1998).
 - A. **Project would block or degrade an existing corridor linking core populations or isolate a subpopulation (20).**
 - B. Project is within a core population (15)
 - C. Project area is identified within satellite population (12)
 - D. Project area is within a corridor linking satellite populations (10)
 - E. Project area is not within any of the previously described areas but is within known kit fox range (5)

2. Habitat characteristics of the project area.
 - A. **Annual grassland or saltbush scrub present >50% of site (15)**
 - B. Grassland or saltbush scrub present but comprises <50% of project area (10)
 - C. Oak savannah present on >50% of site (8)
 - D. Fallow ag fields or grain/alfalfa crops (7)
 - E. Orchards/vineyards (5)
 - F. **Intensively maintained row crops or suitable vegetation absent (0)¹**

3. Isolation of project area
 - A. Project area surrounded by contiguous kit fox habitat as described in Question 2a-e (15)
 - B. **Project area adjacent to at least 40 acres of contiguous habitat or part of an existing corridor (10)**
 - C. Project area adjacent to <40 acres of habitat but linked by existing corridor (i.e.- river, canal, aqueduct) (7)
 - D. Project area surrounded by ag but less than 200 yards from habitat (5)
 - E. Project area completely isolated by row crops or development and is greater than 200 yards from potential habitat (0)

4. Potential for increased mortality as a result of the project implementation. Mortality may come from direct (e.g. – construction related) or indirect (e.g. –vehicle strikes due to increases in post development traffic) sources.
 - A. Increase in mortality likely (10)
 - B. **Unknown mortality effects (5)**
 - C. No long term effect on mortality (0)

¹ Item F for turf, ruderal, and coyote bush habitat. See explanation in comments section.

5. Amount of potential kit fox habitat affected
 - A. > 320 acres (10)
 - B. 160-319 acres (7)
 - C. 80-159 acres (5)
 - D. 40-79 acres (3)
 - E. <40 acres (1)

6. Results of project implementation
 - A. Project site will be permanently converted and will no longer support foxes (10)
 - B. Project area will be temporarily impacted but will require periodic disturbance for ongoing maintenance (7)²
 - C. Project area will be temporarily impacted and no maintenance necessary (5)
 - D. Project will result in changes to agricultural crops (2)
 - E. No habitat impacts (0)

7. Project shape
 - A. Large block (10)
 - B. Linear with >40 foot right-of way (5)
 - C. Linear with <40 foot right-of-way (3)

8. Have San Joaquin kit foxes been observed within 3 miles of the project area within the last 10 years?
 - A. Yes (10)
 - B. No (0)

Scoring

| | Grassland | ruderal, coyote, turf | Conversion of annual grass to turf |
|---------------------------------|-----------|-----------------------|--|
| 1. Recovery importance | 20 | 20 | 20 |
| 2. Habitat condition | 15 | 0 | 15 |
| 3. Isolation | 5 | 5 | 5 |
| 4. Mortality | 5 | 5 | 5 |
| 5. Quantity of habitat impacted | 1 | 1 | 1 |
| 6. Project results | 10 | 10 | 7 |
| 7. Project shape | 10 | 10 | 10 |
| 8. Recent observations | 0 | 0 | 0 |
| Total | 66 | 51 | 63 |

² Conversion of annual grassland to turf

Comments to the San Joaquin kit fox habitat evaluation – The Links

The entire Links Golf Course property is 230.6 acres. The proposed project will affect 22.5 areas with direct disturbance. The existing habitat is a mosaic of natural and landscape vegetation with based pathways and roads. Because the site is unusual, and highly used by daily visitors, two methods were employed to evaluate potential impacts: 1) Partitioning habitat types for scoring, 2) Inclusion of all habitat types as a single type for scoring. Acreage for the project and turf were provided by KC Design Group, project engineers. Habitat areas were mapped in the field by Dan Meade using a Trimble Geo XT GPS, accurate to 0.5 m. Although the GPS field measurements are presumed accurate to 0.5 m, the mapping was not performed by a licensed surveyor and may not be precise.

Method 1

Impacts to annual grass areas are scored differently than the turf, ruderal, and coyote bush scrub areas. Turf is mowed, and is maintained daily to exclude burrowing animals, therefore it is closest to the habitat characteristic of item F, "intensely maintained row crop or suitable vegetation absent". Coyote bush scrub areas, based paths, and a cutting and trimming debris pile are also areas where suitable vegetation is absent. A section of the proposed project area near the clubhouse is highly disturbed by grading, turf maintenance operations, and soil stockpiling and is dominated by ruderal vegetation (mustard, star thistle, tocolote) with some areas of bare ground. This ruderal habitat area is scored as "suitable vegetation absent". The areas where suitable vegetation is absent are grouped together for scoring as "other habitats".

Conversion of one-and-one-half (1.5) acres of annual grassland to turf is proposed. This area will be a temporary disturbance from a usable habitat to turf, which is not usable for denning, but is open for passage by fox. This area is given a third score for Question 6 since disturbance is temporary with ongoing maintenance required.

Using this method the mitigation scores would be:

13.8 acres of impact to annual grass at a score of 66, or 2:1

7.2 acres of impact to other habitats (paths, debris, coyote scrub, ruderal) at a score of 51, or 1:1

1.5 acres of temporary impact, conversion of annual grass to turf, at a score of 63, or 2:1

Method 2

If partitioning of the habitat areas under question 2 is not used, but all habitats are lumped together and scored, then 21 acres of the project area scores a 15 for annual grassland on >50% of site. Question 6, answer B (temporary disturbance requiring maintenance) still applies to 1.5 acre.

Using this method the mitigation scores would be:

21 acres at a score of 66, or 2:1

1.5 acres at a score of 63, or 2:1

Discussion

Considering the unusual conditions, daily use of the site by golfers and maintenance personnel, disturbed and managed nature of annual grassland habitat (it is the golf course rough and out-of-bounds area), deer fencing along the vineyard areas, and the highly disturbed nature of areas near the clubhouse, Method 1 may be most appropriate.

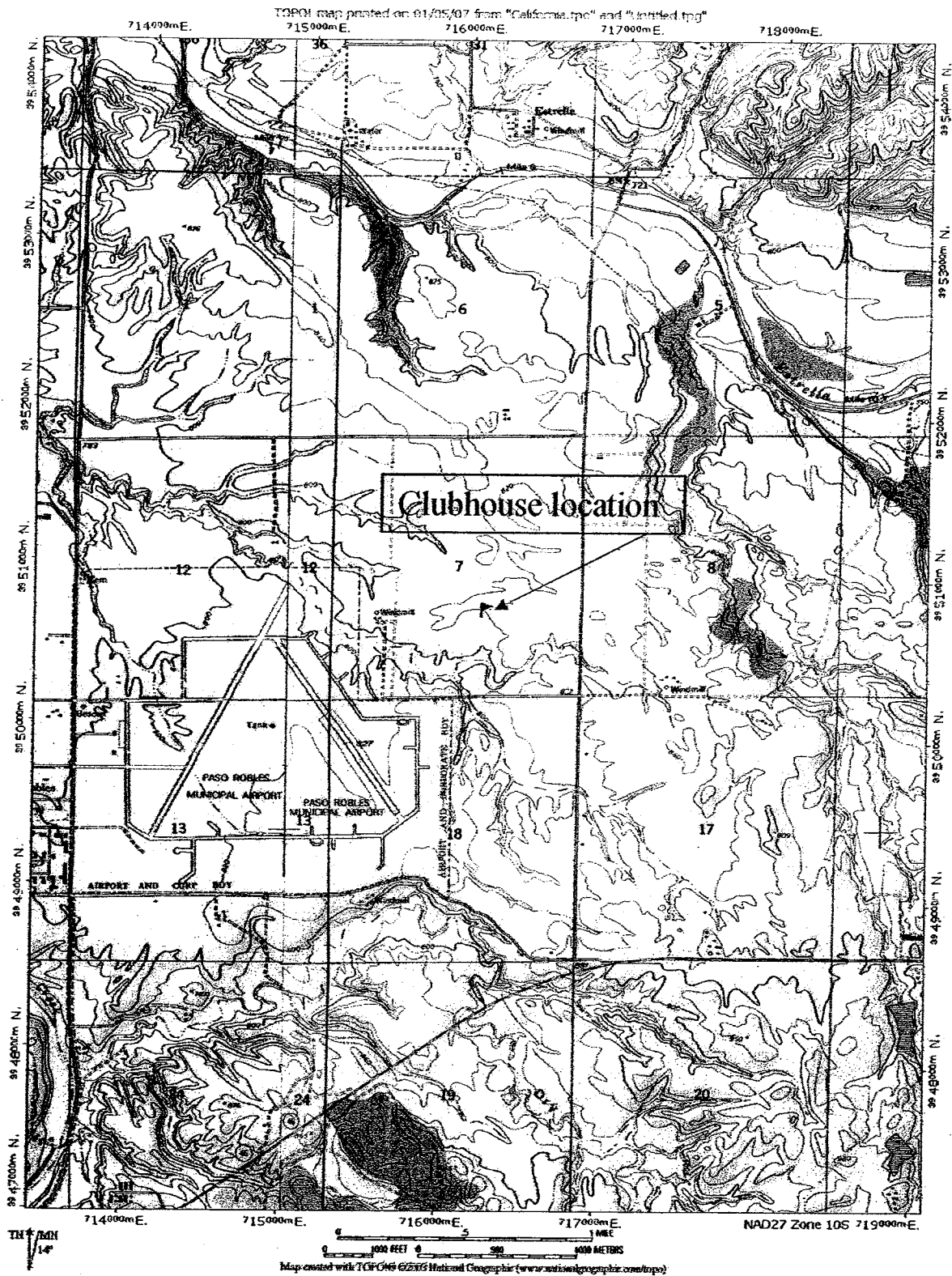


FIGURE 1. USGS TOPOGRAPHIC MAP. The Links clubhouse location is designated by the red flag. The golf course occupies 230 acres surrounding the clubhouse. The outline of the property is shown on Figure 2.

APN 025-441-041, 044, 045 – The Links, Paso Robles, CA

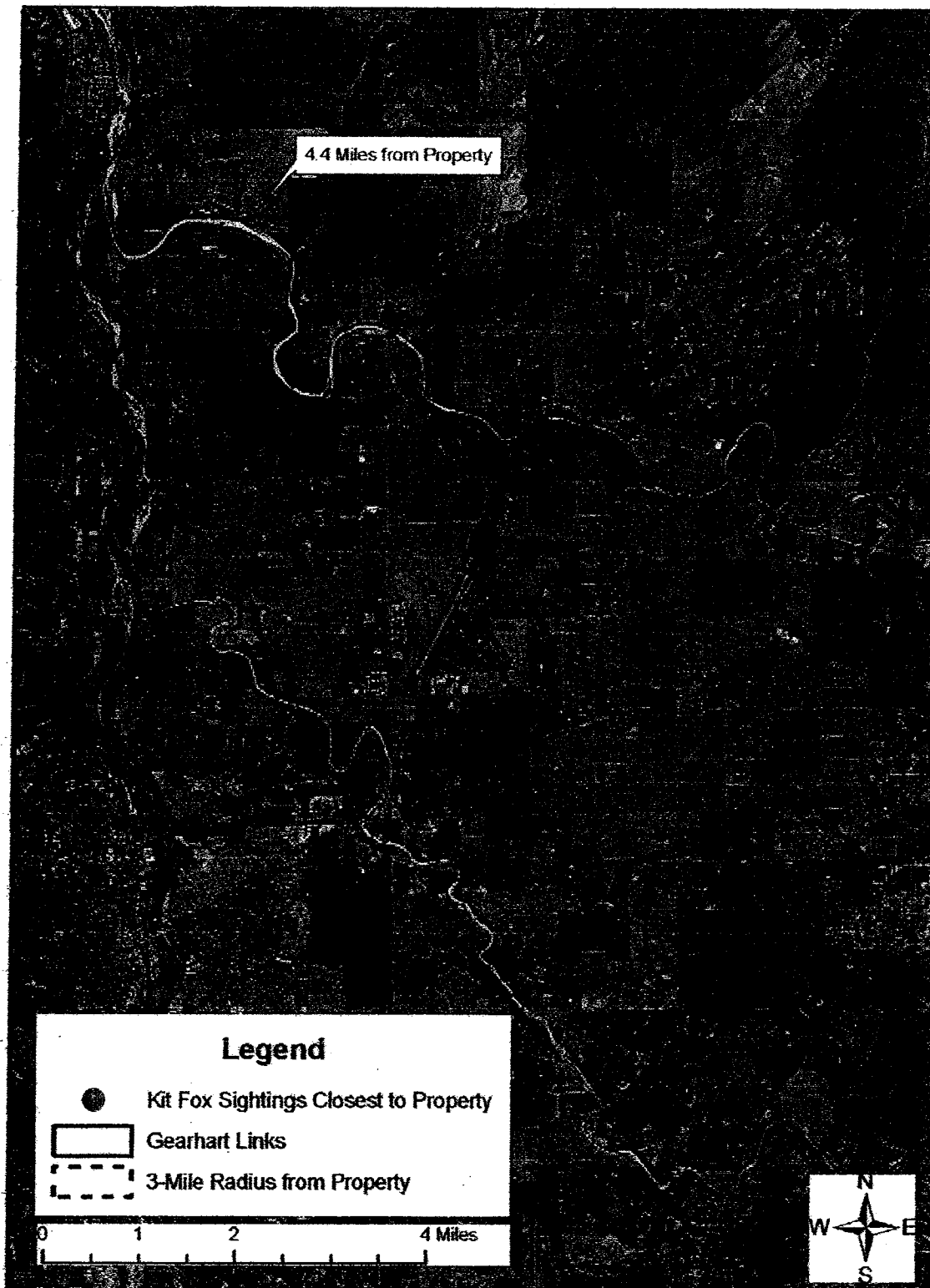


FIGURE 2. DISTANCE FROM KIT FOX SIGHTINGS. The proposed project is more than three miles from the nearest San Joaquin kit fox sighting within the last ten years. The outline of the subject property is shown above on an aerial photo of the region. The kit fox sightings nearest to the property within the last ten years occurred along the Estrella River, and are marked.

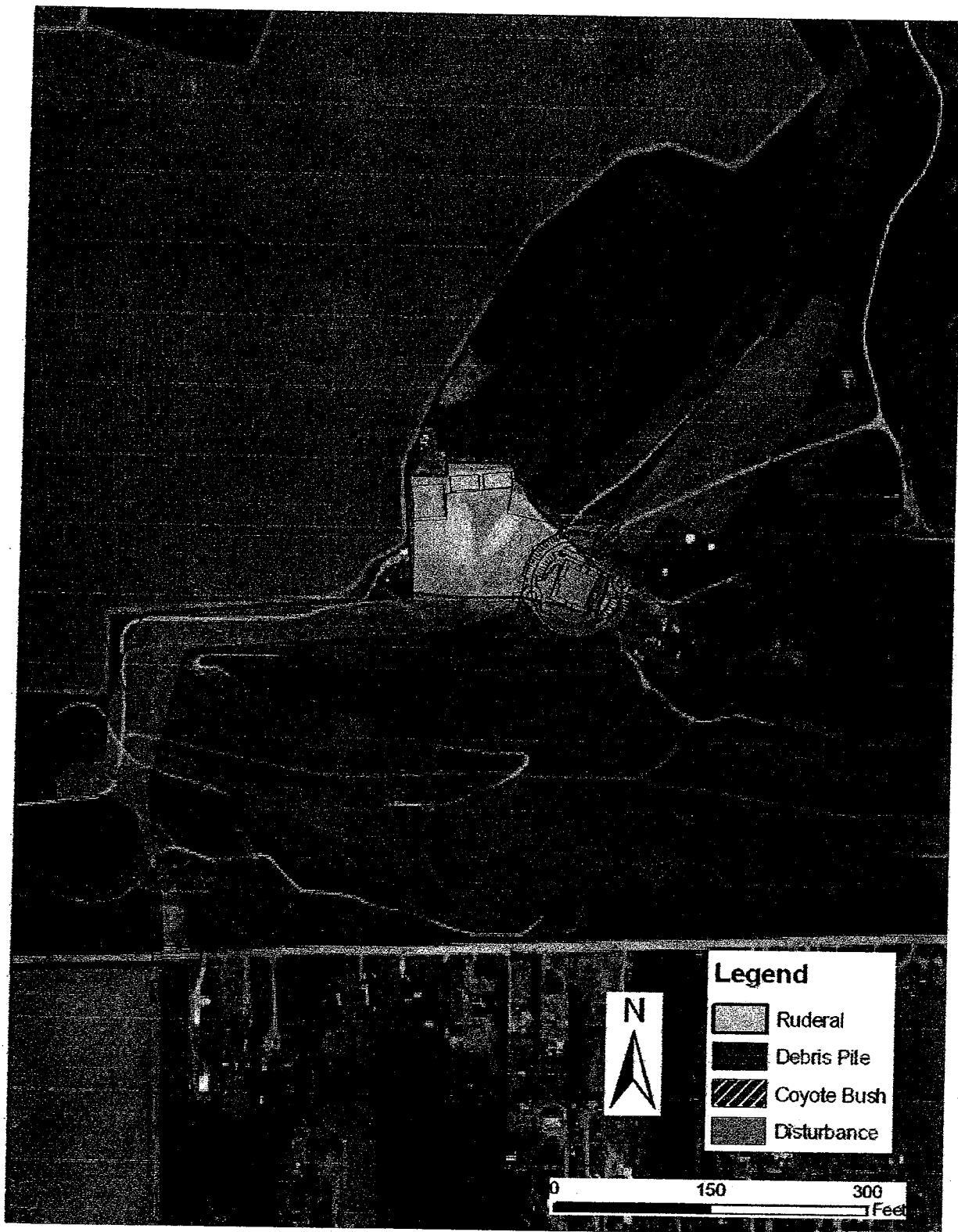


Figure 3. Site with disturbance area. Project overlay provided by KC Design Group, Inc. Areas of disturbance and turf removal calculated by KC Design Group, Inc. Areas of ruderal, debris, and coyote bush were mapped by Althouse and Meade, Inc.

Site Photos

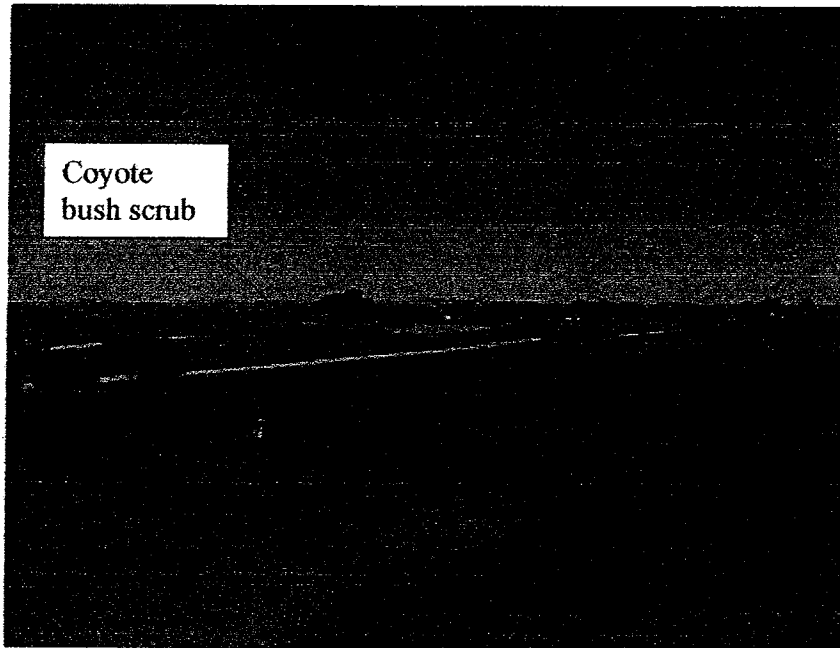


PHOTO 1. Areas of coyote bush (*Baccharis pilularis*) scrub occur along the first fairway and in other sections of the proposed development envelope. The patch indicated above would be removed for the proposed development. View is from clubhouse across the ninth hole to the north. Photo January 5, 2007

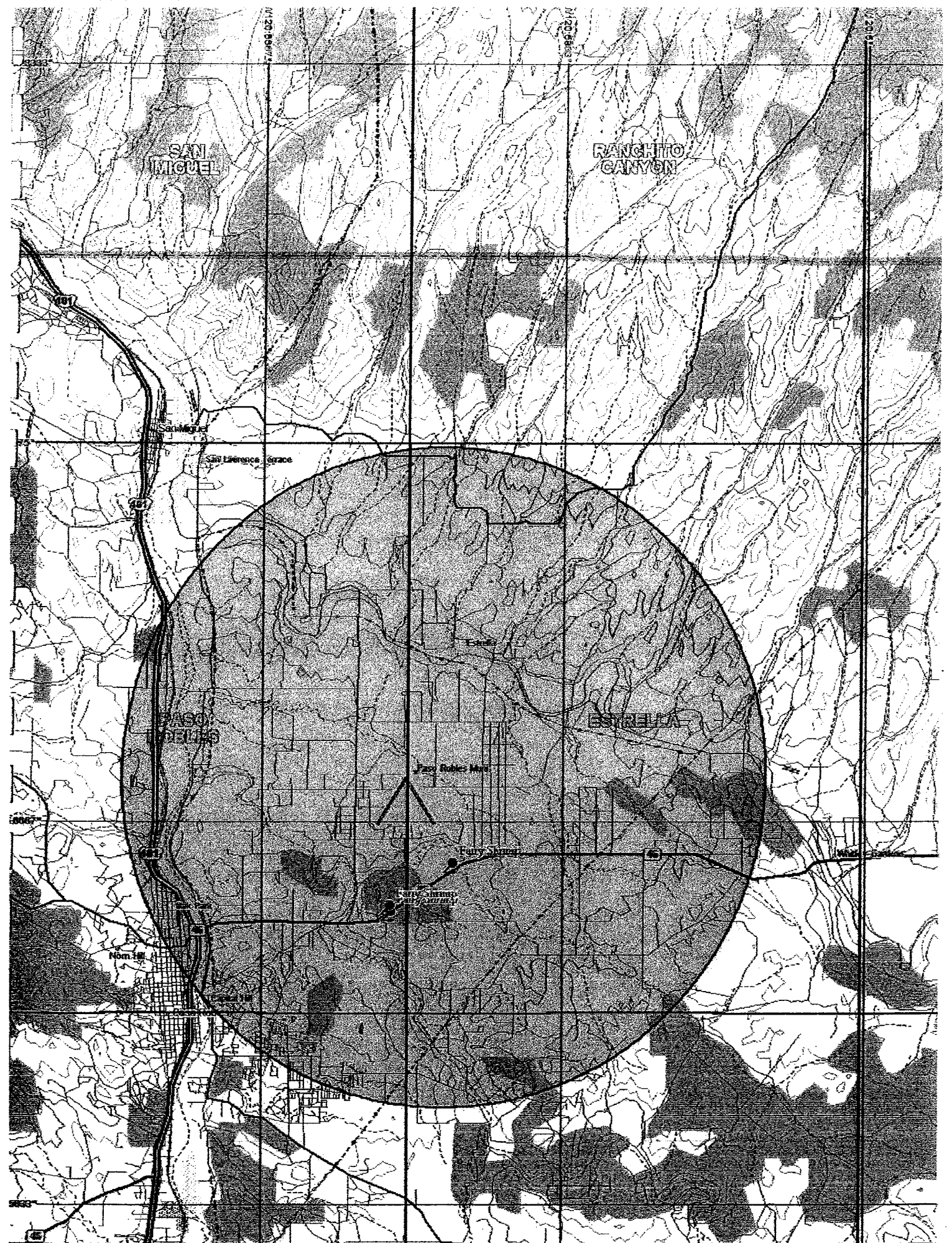


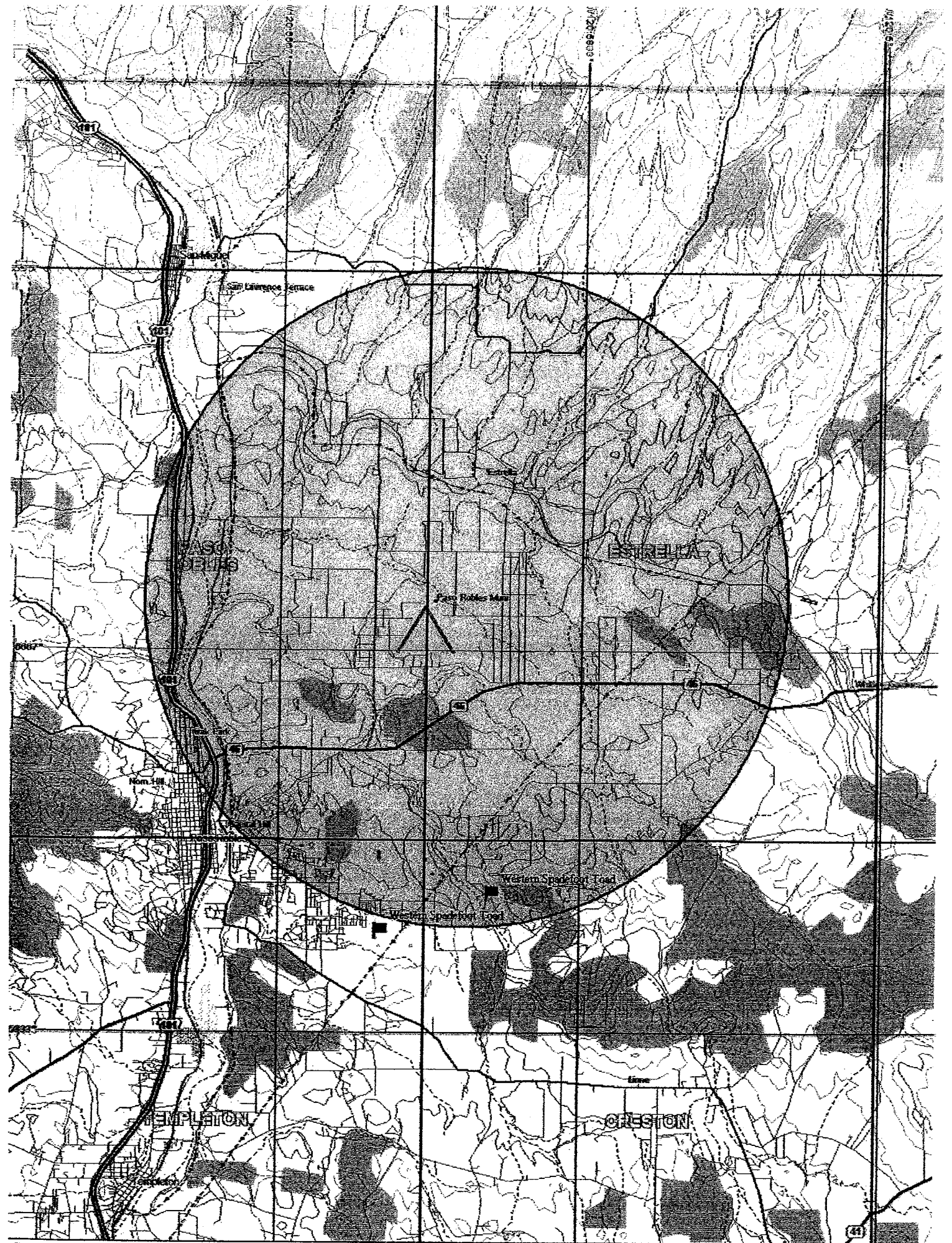
PHOTO 2. Habitat west of the clubhouse consists of disturbed ruderal vegetation. The ground is partially graded and frequently disturbed as evidenced by equipment tracks. View is to the west. Photo January 5, 2006

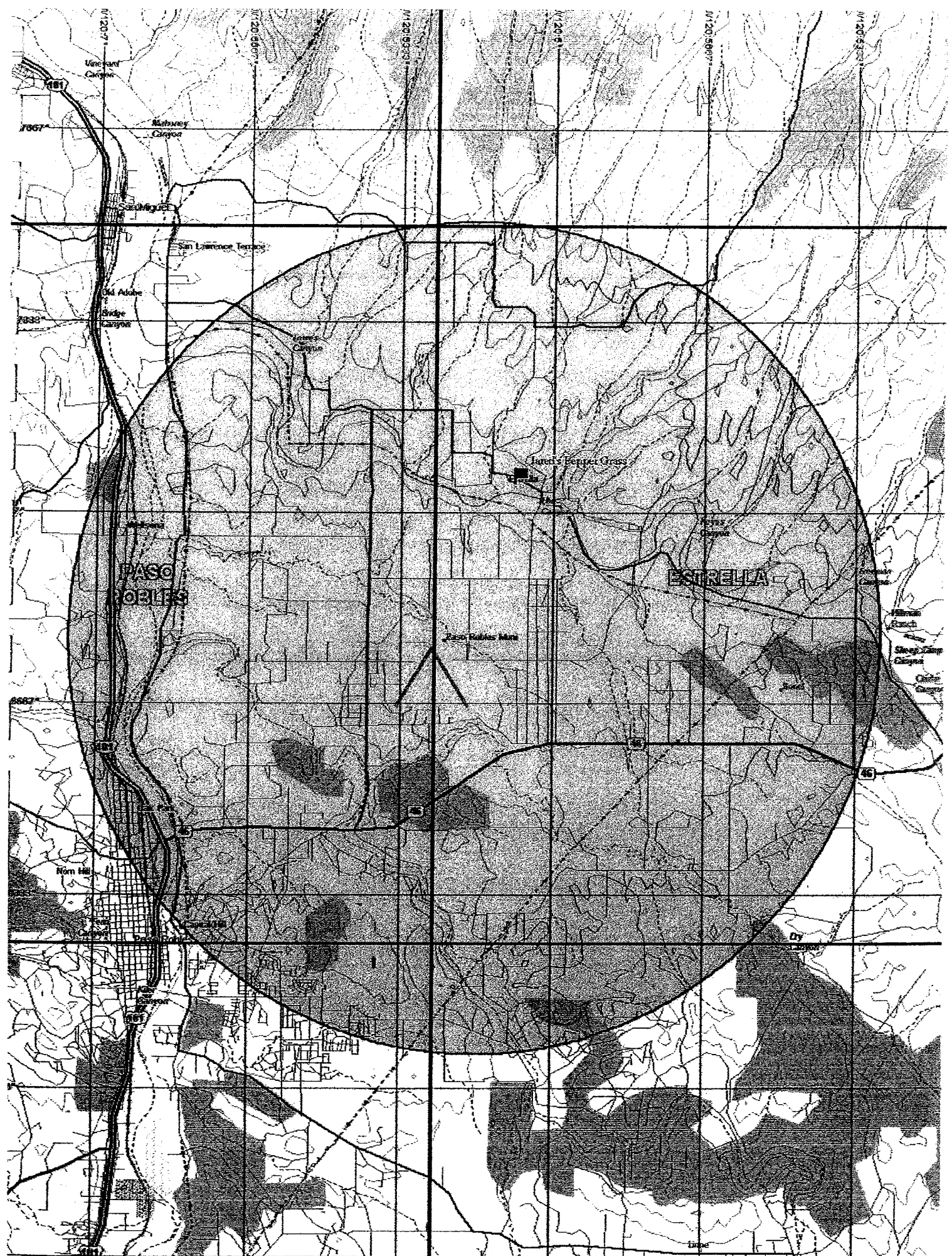
APPENDIX D
CALIFORNIA NATURAL DIVERSITY DATABASE
REPORT AND OCCURRENCE LOCATION MAPS

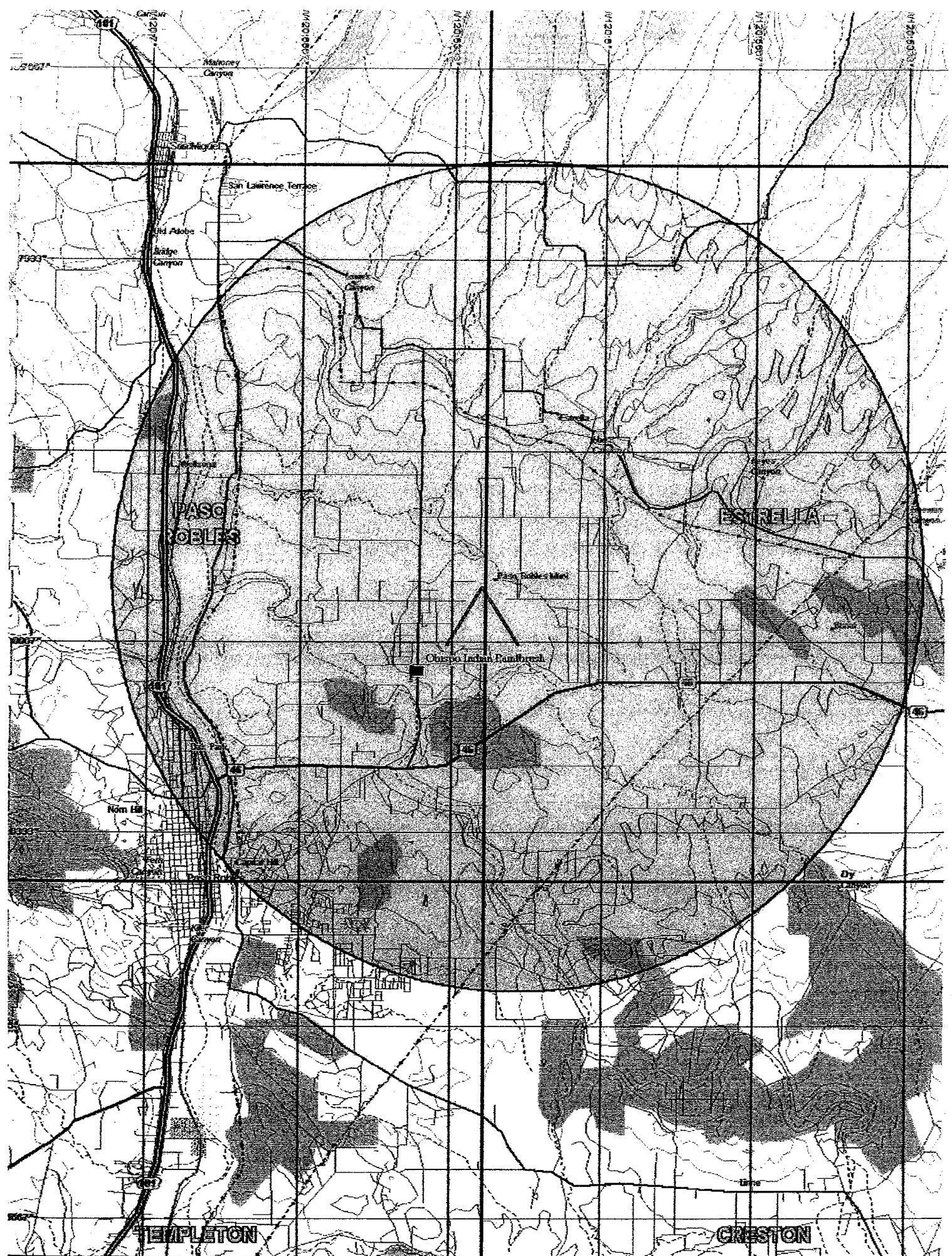
California Department of Fish and Game
 Natural Diversity Database
 The Links Office Campus
 Paso Robles, Estrella, Templeton and Creston Quads

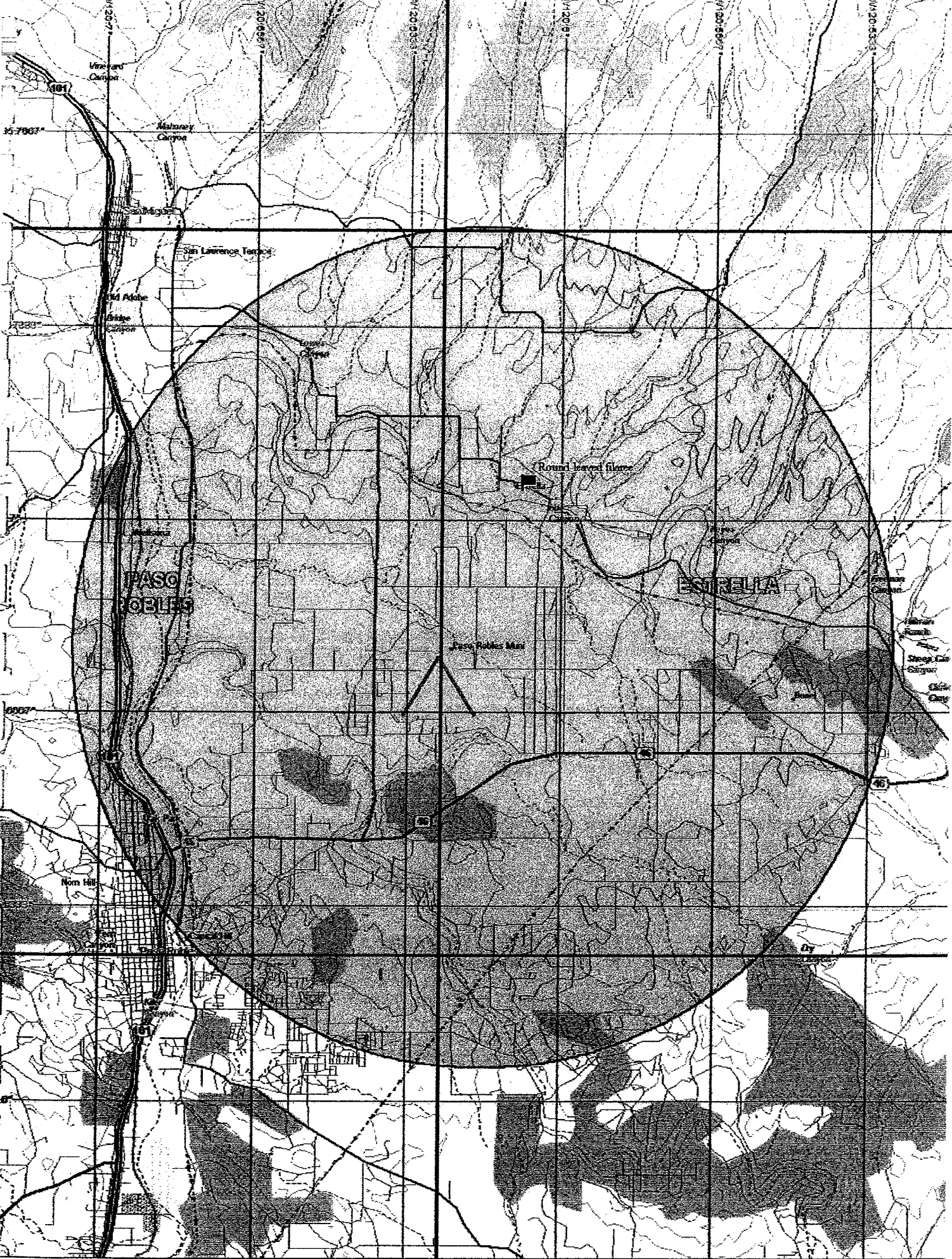
| Scientific Name/Common Name | Element Code | Federal Status | State Status | GRank | SRank | CDFG or CNPS |
|---|--------------|----------------|--------------|---------------|-------|--------------|
| 1 <i>Branchinecta lynchi</i> yellow pool fairy shrimp | ICBRA03030 | Threatened | | G3 | S2S3 | |
| 2 <i>Calycadenia villosa</i> dwarf calycadenia | PDAST1P0B0 | | | G2 | S2.1 | 1B.1 |
| 3 <i>Castilleja densiflora ssp. obispoensis</i> Obispo Indian paintbrush | PDSCR0D453 | | | G5T2 | S2.2 | 1B.2 |
| 4 <i>Caulanthus coulteri var. lemmonii</i> Lemmon's jewelflower | PDBRA0M0E0 | | | G4T2 | S2.2 | 1B.2 |
| 5 <i>Emys (=Clemmys) marmorata pallida</i> southwestern pond turtle | ARAAD02032 | | | G3G4T2T3 Q | S2 | SC |
| 6 <i>Eriastrum luteum</i> yellow-flowered eriastrum | PDPLM03080 | | | G2 | S2.2 | 1B.2 |
| 7 <i>Erodium macrophyllum</i> round-leaved filaree | PDGER01070 | | | G4 | S2.1 | 2.1 |
| 8 <i>Horkelia cuneata ssp. puberula</i> mesa horkelia | PDROS0W045 | | | G4T2 | S2.1 | 1B.1 |
| 9 <i>Horkelia cuneata ssp. sericea</i> Kellogg's horkelia | PDROS0W043 | | | G4T1 | S1.1 | 1B.1 |
| 10 <i>Lepidium jaredii ssp. jaredii</i> Jared's pepper-grass | PDBRA1M0G1 | | | G1T1 | S1.2 | 1B.2 |
| 11 <i>Navarretia nigelliformis ssp. radians</i> shining navarretia | PDPLM0C0J2 | | | G4T1 | S1.1 | 1B.2 |
| 12 <i>Perognathus inornatus inornatus</i> San Joaquin pocket mouse | AMAFD01061 | | | G4T2T3 | S2S3 | |
| 13 <i>Polyphylla nubila</i> Atascadero june beetle | HCOL68040 | | | G1 | S1 | |
| 14 <i>Rana aurora draytonii</i> California red-legged frog | AAABH01022 | Threatened | | G4T2T3 | S2S3 | SC |
| 15 <i>Spea (=Scaphiopus) hammondii</i> western spadefoot | AAABF01030 | | | G3 | S3 | SC |
| 16 <i>Symphotrichum defoliatum</i> San Bernardino aster | PDASTE60C0 | | | G3 | S3.2 | 1B.2 |
| 17 <i>Taxidea taxus</i> American badger | AMAJF04010 | | | G5 | S4 | SC |
| 18 <i>Trimerotropis occulens</i> Lompoc grasshopper | HCORT36310 | | | GH | SH | |
| 19 <i>Vulpes macrotis nutica</i> San Joaquin kit fox | AMAJA03041 | Endangered | Threatened | G4T2T3 | S2S3 | |











Darren Nash

From: jamie kirk [kirkconsulting@charter.net]
Sent: Monday, February 12, 2007 9:19 AM
To: Darren Nash
Subject: FW: Links Second KF Eval

Jamie Kirk
Kirk Consulting
9720 Atascadero Avenue
Atascadero, CA 93422

805-461-5765 phone
805-462-9466 fax

-----Original Message-----

From: Bob Stafford [mailto:bstafford@dfg.ca.gov]
Sent: Friday, February 09, 2007 8:11 PM
To: jamie kirk
Subject: Re: Links Second KF Eval

Jamie,
The score for the Links project should be 66 and a 2:1 mitigation ratio will be needed to offset project impacts to kit fox habitat. "Ruderal" should not be considered as a separate habitat from grassland and the 0.8 acres of coyote brush, given the patch size and distribution, should be included within the grassland category. Conversion of annual grassland to turf is also a permanent impact.....I don't think that the golf course would look kindly upon burrowing animals within the greens.... And, as stated in my previous email, access roads should have been included within this evaluation.

Let me know if you have any questions

Bob

>>> "jamie kirk" <kirkconsulting@charter.net> 2/7/2007 4:05:51 PM >>>
Attached is the second KF eval for the Links project. This is for the on-site improvements.

Jamie Kirk
Kirk Consulting
9720 Atascadero Avenue
Atascadero, CA 93422

805-461-5765 phone

805-462-9466 fax

Attachment 3
Bob Stafford E-mail re: SJKF mit.
PD 06-021 & Tent. Tract 2716
(Vista del Hombre)



RECEIVED
JAN 22 2007
Page 1

BY: _____

C.A. SINGER & ASSOCIATES, Inc.
Archaeology · Cultural Resources & Lithic Studies

Ms. Mandi Raike
Kirk Consulting
9720 Atascadero Avenue
Atascadero, CA 93422

January 19, 2007

Subject: Cultural resources survey and impact assessment for a ±230 acre property at 5151 Jardine Road in the City of Paso Robles, San Luis Obispo County, California. [APN 025-441-041/044/045].

Dear Ms Raike;

As requested, a cultural resources survey and impact assessment has been completed for a ±230 acre property located about 8 km northeast of the City of Paso Robles in northern San Luis Obispo County. The subject property, designated APN 025-441-041/044/045, has a street address of 5151 Jardine Road and is now a small golf course called, "Links Course at Paso Robles". Irregular in outline, the subject property appears on the USGS Estrella, Calif. 7.5' topographic quadrangle; it falls entirely within Section 7 of Township 26S, Range 13E. The surveyed area is located east of Jardine Road and north of Beacon Road. The channel of Estrella Creek is about 2 km north and the Paso Robles Municipal Airport is southwest of the area. The location and dimensions of the surveyed property are shown on three attached maps. Map 1 is a portion of the USGS Paso Robles, Calif., 7.5' topographic quadrangle; Map 2 is part of the County Assessor's Map; Map 3 is a development plan for the property.

Archaeological records and reports on nearby properties were reviewed prior to the survey. Two reports, one for the Huerhuero Golf Course Project (Singer 1996) the other for the Tract 2269 development project (Singer 1997), were examined and an archaeological record search for the property was prepared by Mr. Mark Neal, Assistant Coordinator of the Central Coast Archaeological Information Center at the University of California, Santa Barbara (UCSB); Attachment A is a copy of the record search. The UCSB record search states that no cultural resources are recorded within one mile of the subject property, that the property has not been examined for resources, and; between 1982 and 2001, six surveys were done nearby.

An archaeological study was deemed necessary at this location because prehistoric and historic archaeological sites are known to exist in the general area and further development of the property could have an impact on undiscovered resources. A Phase I survey was undertaken to determine if cultural resources existed on the a property and to assess the potential for adverse impacts should the property be developed as planned (Map 3).

The field survey was completed by Clay A. Singer on January 9, 2007. The subject property is currently a small golf course ("Links Course at Paso Robles") with irrigated fairways and greens, sand traps, narrow (cart) roadways, a large pond with water fowl, a single story clubhouse and an

P.O. Box 99 · Cambria · California
phone: 805/927-0455 · fax: 80

Attachment 4
Archeological Study
PD 06-021 & Tent. Tract 2716
(Vista del Hombre)

equipment barn. The entire property has been thoroughly altered. Early in the 20th Century the property was mechanically cleared of natural vegetation and was likely dry farmed (cereals and hay). Around 1990, the surface was reconfigured and irrigated lawns replaced the surviving native perennials and exotic annual grasses. A century of grain cultivation and stock grazing modified the property long before it became a golf course.

This report reviews the prehistoric background of the region, describes the results of the surface reconnaissance survey and discusses the findings. It concludes with a summary and final recommendations regarding future development of the property. Several archaeological documents and previous record searches prepared by UCSB were reviewed for this project.

Located in the southern end of the Salinas River Valley, the subject property is about 6 km east of the Salinas River and 2 km south of the Estrella River, a tributary of the Salinas. The area consists of rolling tableland, part of the Paso Robles Formation. Prior to European colonization in the late 18th Century, the population of the Paso Robles area consisted mainly of Migueleño Salinan and Obispeño Chumash, people who shared common linguistic and cultural backgrounds. Ethnohistoric research by Robert O. Gibson (1983) suggests that at the time of the Spanish colonization the area was participating in the economic and political systems dominated by coastal Chumash communities like *Sepjato*, at San Luis Bay. The Obispeño Chumash were the northernmost of the Chumash speaking peoples of California (Heizer 1978; Kroeber 1953). According to Gibson, the principal village in this region may have been a rancheria called "Las Gallinas" [Sp. 'the chickens']. Gibson (ibid.: 103ff, 261f) presents several lines of evidence that demonstrate the presence of Chumash communities in the southern reaches of the Salinas River drainage, however, the complete populations of these communities cannot be deduced from historical records. Prehistoric archaeological sites and their former inhabitants cannot be assigned contemporary ethnic identities.

Ancient Chumash and Salinan populations followed an annual cycle of marine and river fishing, fowling, terrestrial hunting, bulb, seed and nut harvesting, and collection of numerous indigenous plants. Communities called *rancherias* generally consisting of several related families, or larger extended kin groups. People lived in permanent villages and towns along the coast, and in the interior canyons and river valleys. An extensive commerce had flourished since earliest times, centering first around the exchange of luxury items, and later extending to consumer products and foods. Over the millennia, populations adapted to changes in climate, shifts in plant and animal resources, and altered social conditions. Before colonization local native California societies had evolved into large and complex, monetized, nonagricultural systems (Gibson 1983; King 1982). Aboriginal societies began to collapse soon after the introduction of European diseases, immediately after contact and colonization. Native societies disintegrated in large part due to epidemic diseases with high mortality rates and the exacerbating effects of Spanish, Mexican and American colonial practices.

The popular view of California Indians as "simple folk" has not been replaced by the recognition that most aboriginal societies, like the Chumash and the Salinan, had particularly sophisticated and complex social, political, and economic systems long before European colonists set foot in North America. All of California's native societies, some 70 or more in number when the Spanish arrived, were uniquely adapted to their particular environments, and lived in relative harmony with their neighbors. Many aspects of ancient society survive among contemporary Chumash and Salinan populations. One such tradition is a very firm attachment to the sea and the land of their ancestors, while another is a persistent interest in traditional sites and archaeological materials.

According to the Archaeological Information Center at UCSB (Attachment A), the subject property has never been systematically surveyed for cultural resources and no archaeological sites are

recorded on or next to the property. Several other surveys in the immediate area produced no prehistoric or early historic resources. Only 20th Century ranching refuse and associated agricultural features have been found and recorded in the vicinity (Singer 1996, 1997; Singer and Atwood 1988). The nearest recorded prehistoric site may be an isolated core of dark gray, grainy chert discovered in a field several kilometers away (Singer and Atwood 1988: 5 and Appendix B). However, a closer artifact is reported in a 2000 survey report by Nancy Farrell (cf. Attachment A - UCSB report E-4013).

Following a review of documents, maps and records an on-foot reconnaissance survey was conducted. The periphery of the property was inspected first to determine boundaries. Then a series of linear transects were walked across the golf course to inspect high points, areas with exposed soil, and elevated areas. Field notes were made that describe the topography, geology, flora, and features encountered. Some areas had no remaining soil, or the surface had been built over, or was covered completely by lawn grass. Thus, irrigated lawns, putting greens, sand traps, parking lots, built locations including the pond and pump building, and clubhouse were not examined.

The property is situated on the Paso Robles Formation tablelands that extend eastward from the Salinas River. The property is almost flat; elevation is about 820 to 840 feet. The tableland is composed of sediments, primarily of sands and silts, but including durable gravels and fossils of marine mammals (Chipping 1987). Well rounded gravels include shales, both Franciscan and Monterey cherts, metacherts, quartzites, andesites, rhyolites, and massive quartz. No gravel deposits of quality material were found on the property. Most soils contained small shale clasts.

Soils encountered on the property were exclusively sediments, light to medium brown in color, silty to clayey in texture, dry and compact. Several low swales were noted but no operational runoff channels or natural water source exists in the surveyed area. Overall ground visibility was good to excellent. Soils were observed next to trees, at rodent holes, in low areas, and at various open and exposed places. Stands of coyote bush are prominent and six leafless (valley?) oaks were noted. The property is essentially grass covered and almost treeless. Adjacent land to the north has recent rows of grape vines while the property to the west is part of the Municipal Airport. Properties located east of Jardine Road and south of Beacon Road are residential "ranchettes", parcels of one to five acres with a single family residence, one or more outbuildings, minimal landscaping, and sometimes a horse or two.

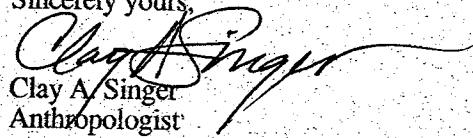
The surface survey of the property found no evidence of prehistoric or historic archaeological resources. Soils in low areas differed little from soils in elevated areas; all have sediments ranging from fine clay to small gravels. No evidence was found that any rock materials on the property were exploited and no anthropic soils were observed. Finally, the topography, geology, and overall condition of the surface suggest that subterranean resources do not exist here.

To conclude, a ±230 acre property on the tablelands northeast of the Paso Robles Municipal Airport was examined to determine if cultural resources existed in the area. The surveyed area is nearly flat tableland modified into a small golf course called, "Links Course at Paso Robles". At the present time the property is primarily irrigated grassland [links and greens] with a few old oak trees, an artificial pond lined with small willows and sedges, and a mixed population of water fowl. The property yielded no evidence of prehistoric or early historic resources. Furthermore, geologic and topographic conditions imply that subterranean resources are absent.

Past alterations of the property probably had no impact on local resources and future development will not impact any known or suspected cultural resources. Therefore, no further archaeological or

historical investigations are recommended. Should you have any questions regarding the survey described above, or the conclusions expressed in this report, please contact our Cambria office.

Sincerely yours,


Clay A. Singer
Anthropologist

References Cited

Chipping, David H.

1987 *The Geology of San Luis County*. California Polytechnic State University, San Luis Obispo.

Gibson, Robert O.

1983 "Ethnogeography of the Salinan People: A Systems Approach". Unpublished masters thesis, Department of Anthropology, California State University, Hayward.

Heizer, Robert F. (Volume Editor)

1978 *Handbook of North American Indians - California*, Vol. 8. Smithsonian Institution, Washington D.C.

King, Chester D.

1982 *The Evolution of the Chumash Society*. University Microfilms, Ann Arbor.

Kroeber, A. L.

1953 *Handbook of the Indians of California*. California Book Company, Ltd., Berkeley.

Singer, Clay A.

1987 "Cultural Resources Survey and Impact Assessment for the Union/46 Specific Plan Area, Paso Robles, San Luis Obispo County, California". Report prepared for The Morro Group, Los Osos.

1996 "Cultural Resources Survey And Impact Assessment For The Huerhuero Golf Course Project In The City Of El Paso De Robles, San Luis Obispo County, California [APN 025-431-010/014]". Report prepared for Interface-Dudek, Santa Barbara.

1997 "Cultural resources survey and impact assessment for Tract 2269, a 74 acre property near Huerhuero Creek in the City Of El Paso De Robles, San Luis Obispo County, California". Report prepared for Tom Erskine, Paso Robles.

Singer, Clay A. And John E. Atwood

1988 "Cultural Resources Survey And Impact Assessment For The Chandler Specific Plan Area Near The City Of El Paso De Robles, San Luis Obispo County, California". Report prepared for The Morro Group, Los Osos.

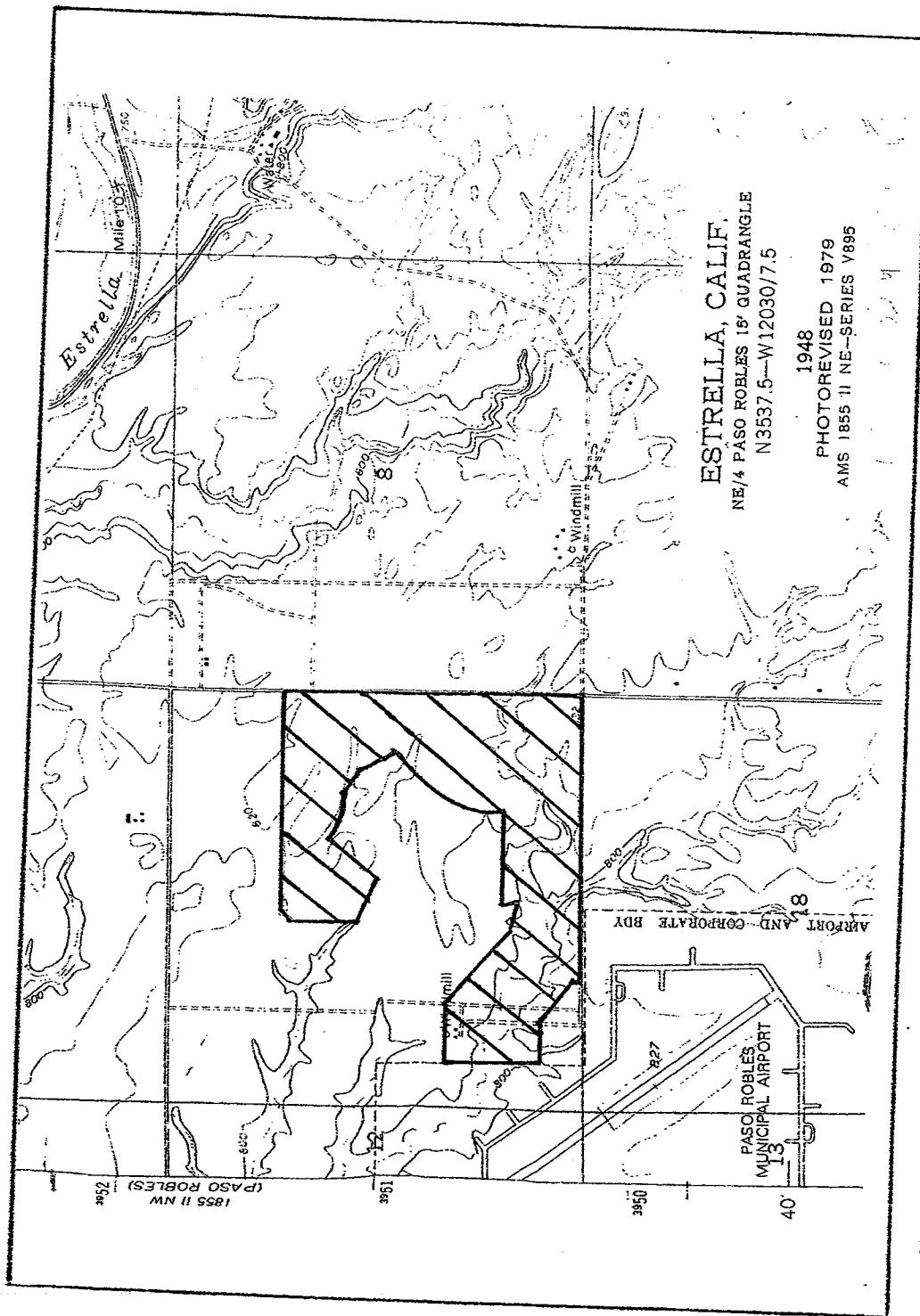
Attachments

Map 1. A portion of the USGS Paso Robles, Calif., 7.5' topographic quadrangle showing the property surveyed for cultural resources on Jardine Road, APN 025-441-041/044/045 (hached).

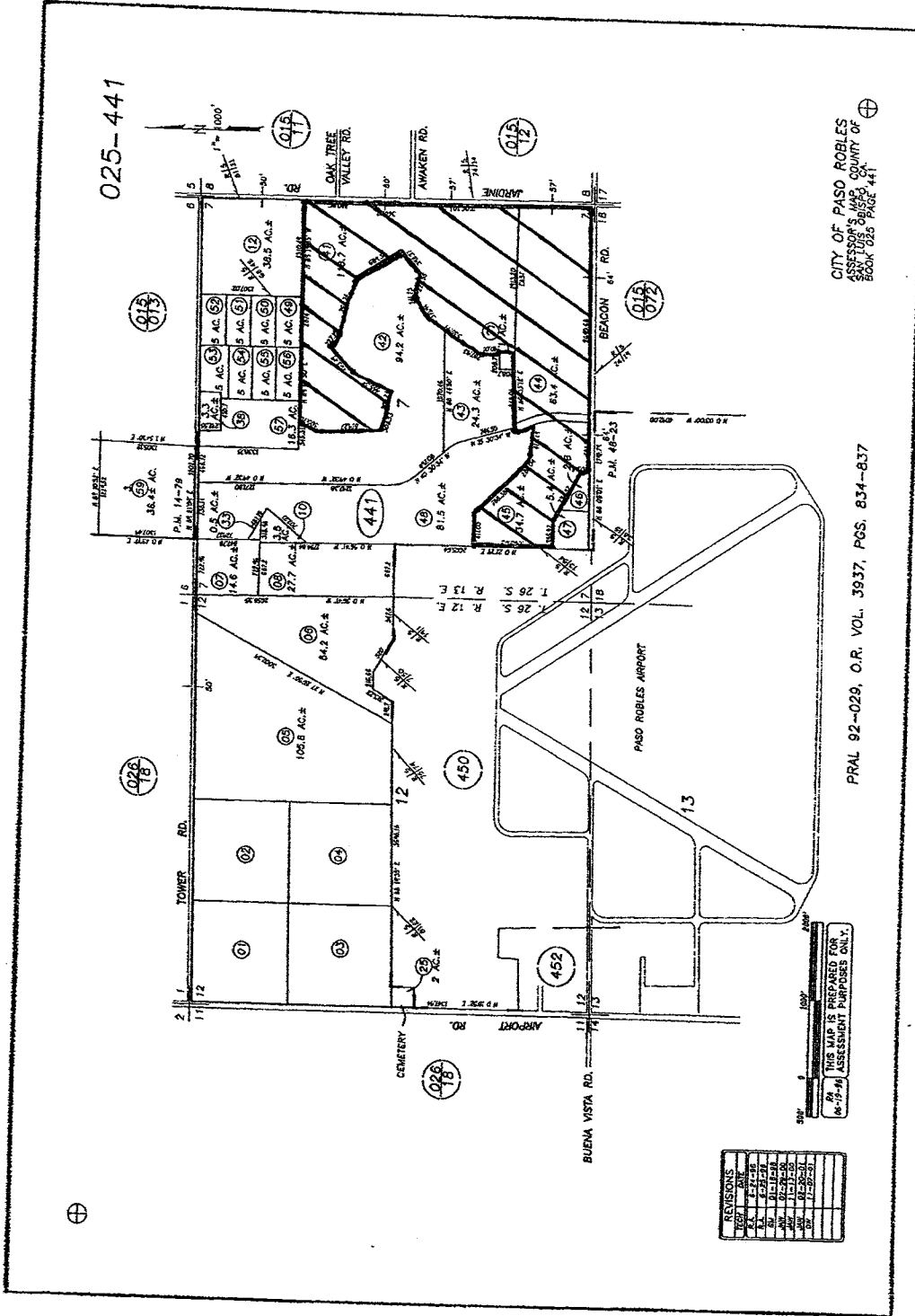
Map 2. Part of the County Assessor's Map showing surveyed property on Jardine Road, APN 025-441-041/044/04 (hached).

Map 3. Development plan for the property at 5151 Jardine Road, the "Links Course at Paso Robles".

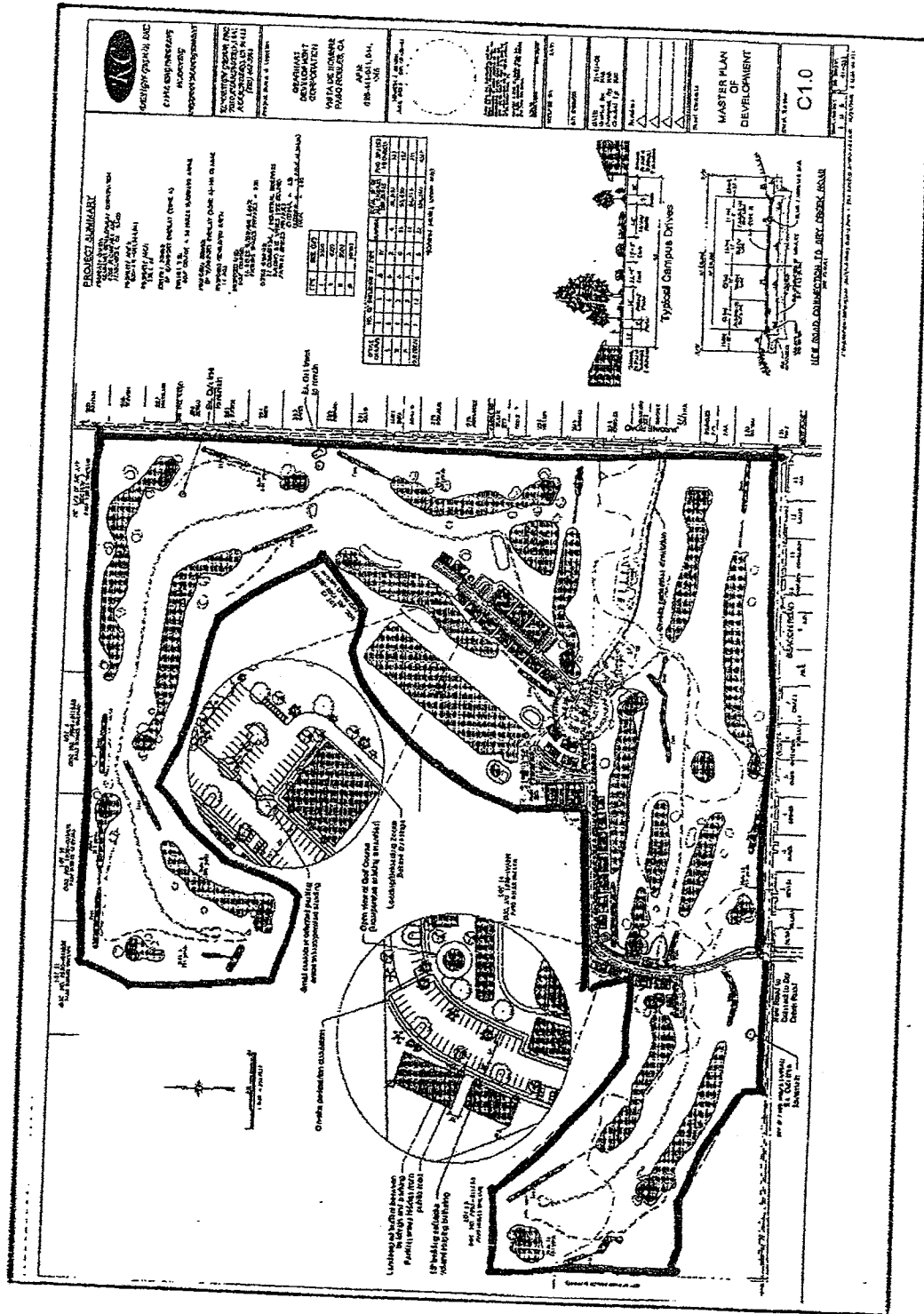
• Attachment A - Archaeological records search prepared by Assistant Coordinator Mark Neal, Central Coast Information Center, University of California, Santa Barbara; dated January 16, 2007 (5 pages).



Map 1. A portion of the USGS Estrella, Calif., 7.5' topographic quadrangle showing the property surveyed for cultural resources, APN 025-441-041/044/045 (hatched), at 5151 Jardine Road.



Map 2. Part of the County Assessor's Map showing the property surveyed for cultural resources, APN 025-441-041/044/045 (hatched).



Map 3. Development plan for the property at 5151 Jardine Road, the "Links Course at Paso Robles".

CENTRAL COAST INFORMATION CENTER

California
Archaeological
Inventory



ATTACHMENT A

SAN LUIS OBISPO AND
SANTA BARBARA COUNTIES

Department of Anthropology
University of California, Santa Barbara
Santa Barbara, CA 93106-3210
(805) 893-2474
FAX (805) 893-8707

1/16/2007

Clay Singer
C.A. Singer and Associates
P.O. Box 99
Cambria, CA 93428

Dear Mr. Singer,

Enclosed are the results of the record search you requested for the Estrella Quad Record Search Project. Our records were searched for all known archaeological sites, historic resources, and previous cultural resource surveys within the search area indicated on the map you provided.

In this search, zero archaeological site(s) and six previous cultural resource survey(s) were found. The survey locations were mapped in colored pencil onto portions of the Estrella quad(s). A bibliography of these surveys is included. A search of the inventories for the State Historic Property Data Files, National Register of Historic Places, National Register of Determined Eligible Properties, California Historical Landmarks, California Points of Historic Interest, California OHP Archaeological Determinations of Eligibility, and the Caltrans State and Local Bridge Surveys yielded zero property evaluation(s) within the search radius.

According to our records, the project area has not been surveyed. Therefore a cultural resource survey is recommended.

Please contact me if you have any questions about this search.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Neal".

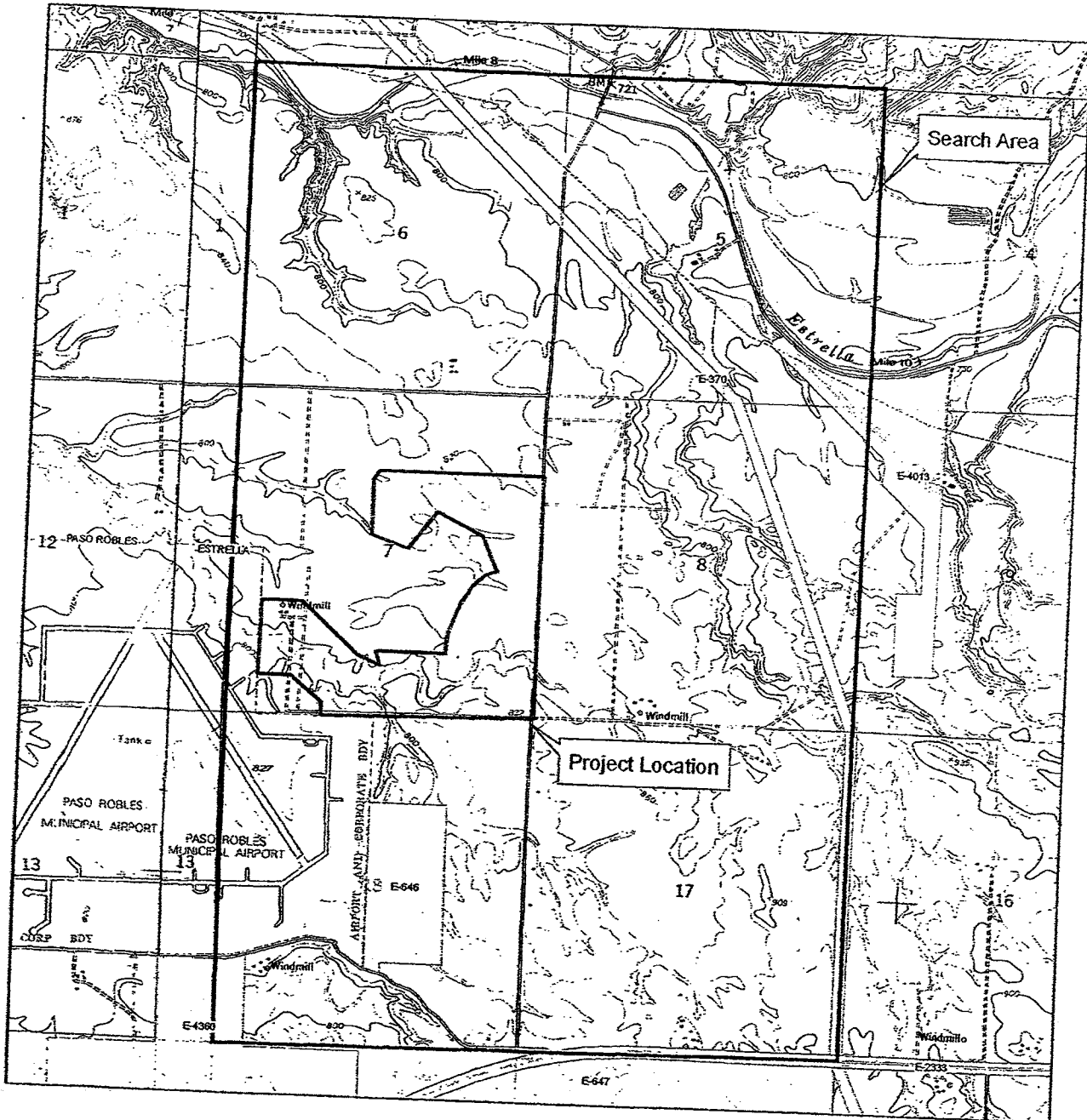
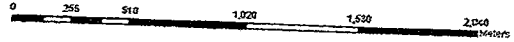
Mark Neal
Assistant Coordinator

Estrella Quad Record Search Project

C.A. Singer & Associates
Estrella Quad, CA

Surveys Map - 1 of 1

Central Coast Information Center
Department of Anthropology
University of California
Santa Barbara, CA 93106-3210
(805) 893-2474
(805) 893-8707 FAX



E Number 370 **Date** 1982 **Author** Hampson, R.; Breschini, G.; Haversat, T.
Title Preliminary Cultural Resources Reconnaissance of a Proposed Natural Gas Pipeline and Electric Transmission Lines, Monterey, San Luis Obispo, and Kings Counties, California

Quad Paso Robles, San Miguel, Ranchito Cyn, Estrella
Site SLO-1058, SLO-1059, SLO-1060, SLO-1061-H, SLO-1062, SLO-1063, **Comments**

Area **Units** **ReportType** **Pages**

E Number 646 **Date** 1983 **Author** Gibson, R.
Title Results of Archaeological Surface Survey for the Airport Industrial Park, San Luis Obispo County, CA

Quad Estrella
Site Negative **Comments**

Area **Units** **ReportType** **Pages**

E Number 647 **Date** 1984 **Author** Soule, W.
Title Negative Archaeological Survey Report, State Water Resources Control Board, Division of Water Rights, Estrella River Winery

Quad Estrella
Site Negative **Comments**

Area **Units** **ReportType** **Pages**

E Number 2333 **Date** 1992 **Author** PAR Environmental Services
Title Historic Property Survey Report for Proposed Lane Widening of State Route 46, P.M. 32.2 to 36.4

Quad Paso Robles,;Estrella
Site Negative **Comments**

Area 4.2 linear **Units** **ReportType** **Pages**

E Number 4013 **Date** 2000 **Author** Farrell, Nancy
Title Cultural Resources Inventory of Portions of the Stimson-Lane Paso Robles Winery, Estrella District, San Luis Obispo County, CA

Quad Estrella
Site CRMS-ISO-1 **Comments** 19 pp

Area 81 Acres **Units** **ReportType** **Pages**

E Number 4360

Date 2001

Author Conway, Thor

Title An Archaeological Surface Survey at the Black Ranch, Highway 46, Paso Robles, San Luis Obispo County, CA

Quad Paso Robles, Estrella

Site Negative

Comments 29 pp.

Area 19.32 acres

Units

ReportType

Pages

CENTRAL COAST INFORMATION CENTER

Department of Anthropology
 University of California
 Santa Barbara, CA 93106-3210
 (805)893-2474

California
 Archaeological
 Inventory



Santa Barbara
 and San Luis
 Obispo Counties

Archaeological Survey Maps and Site Records Use Form

Billing: C.A. Singer and Associates
 Address: P.O. Box 99
 Cambria, CA 93428

Date: 1/16/2007
 Researcher: Clay Singer
 Phone:

Project Title: Estrella Quad Record Search Project

Type of Project: EIR

Continuation of Previous Search? No

Researcher vitae on File here? Yes

Area of Investigation: San Luis Obispo County

Current copy of researcher's confidentiality statement is on file? Yes

USGS Topo Maps Consulted: Estrella

Site Records Consulted: none

Survey Reports Consulted: E-370, E-646, E-647, E-2333, E-4013, E-4360

Historic Resources Inventory Consulted: none

Copies Made

Site Records Copied:

Historic Resources Records Copied:

Survey Reports Copied:

PAID

Fees

Invoice # 4121

This is your invoice for the amount due.
 Payment is due 30 days after receipt of
 this invoice.
 Make check payable to UC Regents.
 Send check to Central Coast Information
 Center at above address.
 Return one copy of this form with payment.

| | Qty. | Amount |
|-------------------------------------|------|----------|
| Hours of Staff Research (\$150/hr): | 1 | \$150.00 |
| Hours of Client Research (\$100/hr) | 0 | \$0.00 |
| Copies (\$0.15/page): | 0 | \$0.00 |
| Hours of Staff Time (\$40/hr) | 0 | \$0.00 |
| Express Fee (additional 50%): | | \$0.00 |
| Fax (\$1/page): | 0 | \$0.00 |
| Postage/Other: | | \$0.00 |

Date Check Received:

Total:

\$150.00

Check #:

RESOLUTION NO.:

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES APPROVING
PLANNED DEVELOPMENT 06-021
(VISTA DEL HOMBRE - GEARHART)
APN: 025-441-041, 044 & 045

WHEREAS, Section 21.16A, Planned Development District, projects located in the PD Overlay district are subject to Planning Commission approval of a development plan (PD); and

WHEREAS, Planned Development 06-021 has been filed by Kirk Consulting on behalf of Vista Del Hombre, LLC – Kelly Gearhart, to construct a 154,340 square foot manufacturing/light-industrial complex at the Links Golf Course located at 5151 Jardine Road; and

WHEREAS, the 210 acre site is zoned AP-PD (Airport, Planned Development Overlay), and has a General Plan designation of BP, (Business Park); and

WHEREAS, in conjunction with PD 06-021, the applicant has submitted Tentative Tract 2716, which would subdivide the property into 39 separate lots; and

WHEREAS, the original project was reviewed by the Planning Commission on August 14, 2007, where the Commission on a 4-2 vote (one vacancy) denied the project, the denial was based on the Planning Commission's finding that the project as designed and conditioned, could create traffic impacts on Dry Creek Road and Jardine Road which are not currently designed to handle traffic associated with this development; and

WHEREAS, on September 11, 2007, Kirk Consulting, on behalf of Gearhart Development submitted a modified project for Vista del Hombre, the modifications consist of the following:

- a. Changed the phasing of the project to focus on Dry Creek Road improvements;
- b. Eliminating access from the project to Jardine Road. A gate will be placed and only emergency vehicle access will be allowed for;
- c. Prevent access from the project on Beacon Road;

and;

WHEREAS, at its October 23, 2007 meeting, the Planning Commission held a duly noticed public hearing on the Project, to accept public testimony on the proposal including Planned Development 06-021 and related applications; and

WHEREAS, at its October 23, 2007 meeting, the Planning Commission held a duly noticed public hearing on the Project, to accept public testimony on the proposal including Planned Development 06-021 and related applications; 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 Project qualifies for adoption of a Mitigated Negative Declaration; 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 Vista del Hombre project, as conditioned, would be consistent with the Zoning and General Plan by providing clean attractive businesses and industries in which all activities are conducted indoors.
2. The project would be consistent with the Economic Strategy since it could provide for a diversified range of specialty industry clusters, drawing on local advantages to serve the local and international markets.
3. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16A (Planned Development Overlay District Regulations) as follows:
 - A. The granting of the Planned Development (PD) will not adversely affect the policies, spirit and intent of the General Plan, the Zoning Ordinance, and the policies and plans of the City.
 - B. The Project maintains and enhances the significant natural resources on the site by designing a project that compliments the existing golf course and meets required standards for grading, drainage and storm water quality.
 - C. The Project is designed to be sensitive to, and blend in with, the character of the site and surrounding area. This has been accomplished by constructing the project at the interior of the site within the existing golf course while allowing the existing golf course to act as buffer between the existing residential along Jardine Road and Beacon Road.
 - D. Based on the project's design and density of the developed portions of the site, the project would be compatible with the established character and scale of surrounding development and would not be disharmonious or disruptive element to the neighborhood. The project has been designed to take in consideration the existing golf course, which will act as a buffer between the proposed project and the neighboring residential.
 - E. The project is consistent with the purpose and intent of the Zoning Code and the Project is not contrary to the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 06-012, subject to the following conditions:

STANDARD CONDITIONS:

1. The Project shall comply with all Conditions of Approval and Exhibits contained in this Resolution and the associated Resolutions for the above-referenced Tentative Tract Map 2716.

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 of Approval |
| B | Master Plan of Development |
| B-1 | Phasing Plan |
| C1-C3 | Preliminary Grading & Drainage Plan |
| D | Preliminary Street Improvement Plan |
| E | Architectural Elevations – Bldg Type IV |
| F | Architectural Elevations – Bldg Type III |
| G | Architectural Elevations – Bldg Type I |
| H | Architectural Elevations – Bldg Type II |
| I1-I3 | Conceptual Landscape Plan |
| J | Conceptual Lighting Plan |
| K | Color and Materials Board (on file in the Community Development Dept.) |

3. This Development Plan for PD 06-021, together with the application for Vesting Tentative Tract Map 2716, allows for development and operation of the Vista Del Hombro project which includes the development and operation of a 154,340 square foot manufacturing/light-industrial with supporting commercial/office uses at the Links Golf Course.
4. The project would be developed in Three construction phases:
Phase I: Lots 13-26
Phase II: Lots 27-39
Phase III: Lots 1-12
5. The support commercial and office uses would be limited to no more than 30,000 square feet. All uses must comply with Table 21.16.200, where some uses could require a Conditional Use Permit.

6. Prior to the issuance of building permits the following plans/details shall be submitted to the Development Review Committee (DRC) for review and approval:
 - a. Final site plan, grading plan and detailed landscape plan;
 - b. Exterior lighting cut sheets and light placement plan;
 - c. Final details including bike racks, benches, patio equipment, paths..etc.
 - d. Trash enclosure details and location;
 - e. Any site fencing including placement and type of fencing;
7. Prior to the issuance of a signage permit, a signage program needs to be reviewed and approved by the DRC for any entry signage, on-site directional signage and any building mounted signs.

ENVIRONMENTAL MITIGATION MEASURES

8. APCD MITIGATIONS:

APCD-1 Prior to any grading on the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption form must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos (Air Toxics Control Measure) ACTM.

APCD-2 If utility pipelines are scheduled for removal or relocation; or building are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61,Subpart M – asbestos NESHAP).

APCD-3 The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) 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 stockpile 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 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

APCD-4 Construction Permit Requirements:

If portable equipment, 50 horsepower or greater, are used during construction, a California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the Districts CEQA Handbook.

APCD – 5 Standard Measures (Include all applicable standard mit. measures below)

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- Provide preferential carpool and vanpool parking spaces.
- Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.
- Increase the building energy efficiency rating by 10% above what is required by Title 24 requirements. This can be accomplished in a number of ways (increasing attic, wall, or floor insulation, installing double pane windows, using efficient interior lighting, etc.).

APCD – 6 Discretionary Measures (Include at least 10 of the following)

Site Design Mitigation for this Commercial Project

- Increase street shade tree planting.
- Increase shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- Provide on-site banking (ATM) and postal services.
- Provide on-site child care facilities for employees.
- Provide on-site housing for employees.
- Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment with designated walkways.
- Provide pedestrian signalization and signage to improve pedestrian safety.

APCD – 7 **Transportation Demand Mitigation**

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.
- Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc by implementing the Transportation Choices Program. The applicant should Contact SLO Regional Rideshare at 541-2277 to receive free consulting services on how to start and maintain a program.
- Provide Transportation Choices Program information centers on alternative transportation modes at the site (i.e. a transportation kiosk). Contact SLO Regional Rideshare for appropriate materials at 541-2277.
- Install an electric vehicle charging station with both conductive and inductive charging capabilities.
- Employ or appoint an Employee Transportation Coordinator.
- Implement an APCD approved Trip Reduction Program
- Provide for shuttle/mini bus service.
- Increase the quality of existing bicycle routes/lanes or add bicycle routes/lanes which access the project.
- Implement compressed work schedules.
- Implement a telecommuting program.
- Implement a lunch-time shuttle to reduce single occupant vehicle trips.
- Participate in an employee "flash pass" program, which provides free travel on transit buses.
- Include teleconferencing capabilities, such as web cams or satellite linkage, which will allow employees to attend meetings remotely without requiring them to travel out of the area.
- If the development is a large grocery store or large retail facility, provide home delivery service for customers.

APCD – 8 **Energy Efficiency Measures**

- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
- Use built-in energy efficient appliances, where applicable.
- Use double-paned windows.
- Use low energy parking lot and street lights (e.g. sodium).
- Use energy efficient interior lighting.
- Use low energy traffic signals (e.g. light emitting diode).
- Install door sweeps or weather stripping if more energy efficient doors and windows are not available.
- Install high efficiency or gas space heating.
- Replace diesel fleet vehicles with cleaner fueled low emission vehicles (e.g. school buses, transit buses, on and off road heavy duty vehicles, lighter duty trucks and passenger vehicles).
- Retrofit existing equipment to reduce emissions through methods such as catalyzed diesel particulate filters, diesel oxidation catalysts, or other approved technologies.

APCD – 9 Mixed Use Incompatibility

As individual projects move forward it is important to keep in mind that some uses may not be compatible and could result in potential nuisance problems (i.e. odors and/or dust). Therefore, it is essential that individual uses be carefully evaluated prior to issuance of an APCD use permit. The following uses could be problematic if residential quarters are included in the same building.

- Nail Salons
- Dry-cleaners
- Coffee Roasters
- Gasoline Stations
- Furniture refurbishing/refinishing
- Any type of Spray Paint Operation

9. BIOLOGICAL MITIGATIONS:

San Joaquin kit fox:

San Joaquin kit fox habitat occurs in the project area. The project will result in a net loss of kit fox habitat. The following mitigation recommendations are designed to reduce the potential for direct impacts to kit fox to a less than significant level. A kit fox habitat evaluation, was provided by the project and reviewed by the Department of Fish and Game and it was concluded that 22.5 acres would be disturbed, and based on a score of 66, it has been determined that the project would have a 2:1 mitigation ratio.

Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of El Paso de Robles, Community Development, Planning Division that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **45** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

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

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

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to “The Nature Conservancy”, would total **\$112,500**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of

property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase **45** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$112,500**. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

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

- i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- ii. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, disking, excavation, stockpiling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-14 through BR-23. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-14iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- iii. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work.

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

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

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

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

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

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

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

During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped

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

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

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

Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- i. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
- ii. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.
- iii. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

A pre-construction survey shall be conducted within thirty days of beginning work on the project to identify if badgers are using the site. The results of the survey shall be sent to the project manager, CDFG, and the City of El Paso de Robles.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFG wildlife biologist for the area shall be contacted to review current allowable management practices.

ENGINEERING SITE SPECIFIC CONDITIONS:

10. Prior to occupancy of any unit, Dry Creek Road will be improved from Airport Road to Aerotech Way in accordance with conceptual plans approved by City Council and construction documents approved by the City Engineer.
 - The project will include a modern roundabout to create a new intersection of Airport Road and Dry Creek Road southeast of its existing location.
 - The project will modify the intersection of Dry Creek Road and Aerotech Way in accordance with the applicant's presentation.
 - The plans will incorporate low impact development design techniques.

Improvements to Beacon Road and Jardine Road along the project frontage will be waived. The estimated cost of these improvements will be applied to the reconstruction of Dry Creek Road.

11. Prior to occupancy of any unit, Aerotech Way shall be extended from its northerly terminus to the project in accordance with plans approved by the City Engineer (28-foot paved width). Low impact development practices shall be incorporated into the design. A 60-foot wide irrevocable and perpetual offer of dedication to the public shall be provided for Aerotech Way. If the offer of dedication cannot be obtained across the property located between the City Airport and the existing location of Aerotech Way; the applicant will extend a public road along the east boundary of the airport, in accordance with the specifications noted above, from Beacon Road to Dry Creek Road.
12. The applicant shall apply their share of improvements to the intersections of State Highways 101- 46E and 101-Airport Road to the Dry Creek Road project.
13. Prior to occupancy of any unit, the project shall be connected to City sewer.

14. Prior to occupancy of any unit, Tract 2716 shall be connected to City water and each new lot, or individually owned unit, shall have its own individual water meter.
15. The project design and construction shall incorporate Low Impact Development best management practices to mitigate the impacts on quality, quantity and rate of discharge of storm water run-off from the site.

EMERGENCY SERVICES SITE SPECIFIC CONDITIONS:

16. Prior to start of construction, documentation shall be submitted to Emergency Services showing that required fire flows can be provided to meet all project demands.
17. Provide fire sprinkler systems for all commercial and industrial buildings.
18. Provide secondary emergency vehicle access sufficient to support the City's fire apparatus (HS 20 Truck Loading). Secondary vehicle access to be at least twenty (20) feet wide with no less than thirteen feet, six-inch vertical clearance. All secondary emergency vehicle access surfaces shall provide all weather driving capabilities and conform to the requirements of City Zoning Codes.
19. A directory of annunciator panel shall be installed at all vehicle entrance areas indicating building locations and numbers.

PASSED AND ADOPTED THIS 23rd day of October, 2007 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN MARGARET HOLSTINE

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

h:darren/PD/VistadelHombreOct23rdPDRes

EXHIBIT A OF RESOLUTION

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

PROJECT #: PD 06-024, CUP 06-021 & TRACT 2716

APPROVING BODY: PLANNING COMMISSION

DATE OF APPROVAL: OCTOBER 23, 2007

APPLICANT: VISTA DEL HOMBRE - GEARHART

LOCATION: 5151 JARDINE ROAD

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 August 23, 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:

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:

- 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 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.

(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: Gearhart PREPARED BY: JF

REPRESENTATIVE: Chacon CHECKED BY: _____

PROJECT: PD 06-021 & Tract 2716 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.

- 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:

| | | |
|------------------|---------------|----------------------|
| Golden Hill Road | Arterial | A-1 |
| 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 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).

(Adopted by Planning Commission Resolution 94-038)


- ☒ 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.

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)



K.C. DESIGN GROUP, INC.
 CIVIL ENGINEERING
 PLANNING
 PROJECT MANAGEMENT

GEARHART DEVELOPMENT CORPORATION
 VISTA DEL HOMBRE
 PASEO ROBLES, CA
 (415) 462-5960

Project Name & Location
GEARHART DEVELOPMENT CORPORATION
VISTA DEL HOMBRE
PASEO ROBLES, CA
 APN: 025-441-041, 044, 045
 ENGINEER & DESIGNER
 R.C.E. 0418 001 00-00-00

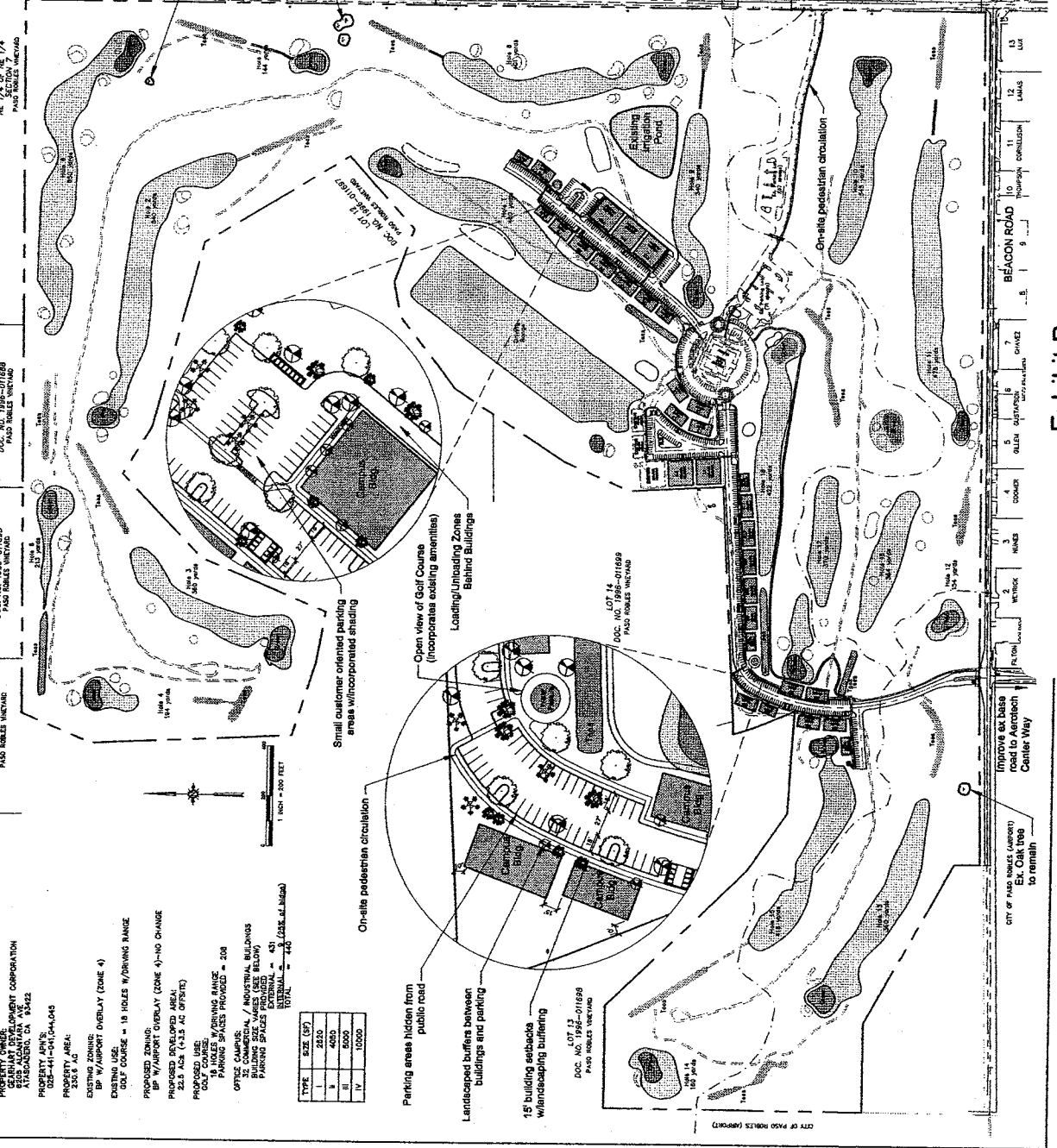
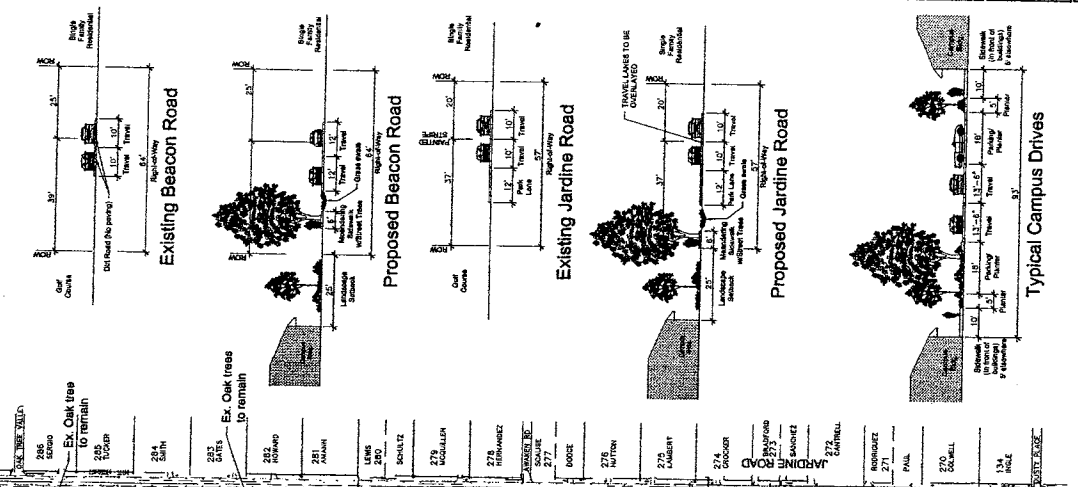
DATE: 08-07-07
 Drawn By: NAB
 Checked By: NAC
 Revisions:
 SHEET CONTENTS

DATE: 08-07-07
 Drawn By: NAB
 Checked By: NAC
 Revisions:
 SHEET CONTENTS

MASTER PLAN OF DEVELOPMENT
 Sheet Number
C1.0

| OFFICE CLASS | NO. OF BUILDINGS BY TYPE | SUBTOTAL | ALL CURBS PROVIDED | PKG SPACES PROVIDED |
|--------------|--------------------------|----------|--------------------|---------------------|
| L | 1 | 1 | 8 | 103 |
| M | 2 | 2 | 14 | 157 |
| P | 3 | 3 | 12 | 171 |
| SUBTOTAL | 7 | 7 | 34 | 431* |

*Systems parking spaces only



PROJECT SUMMARY
 PROPERTY OWNER: GEARHART DEVELOPMENT CORPORATION
 11500 RAYBURN DRIVE, SUITE 100
 PASEO ROBLES, CA 94042
 PROPERTY APN'S: 025-441-041, 044, 045
 PROPERTY AREA: 20.5 AC
 EXISTING USE: GOLF COURSE - 18 HOLE W/DRIVING RANGE
 PROPOSED ZONING: COMMERCIAL OVERLAY (ZONE A)-NO CHANGE
 PROPOSED USE: OFFICE CAMPUS
 PROPOSED USE: GOLF COURSE
 OFFICE CAMPUS: 32 COMMERCIAL / INDUSTRIAL BUILDINGS
 PARKING SPACES PROVIDED = 208
 EXISTING USE: GOLF COURSE
 EXISTING USE: 43
 TOTAL = 249

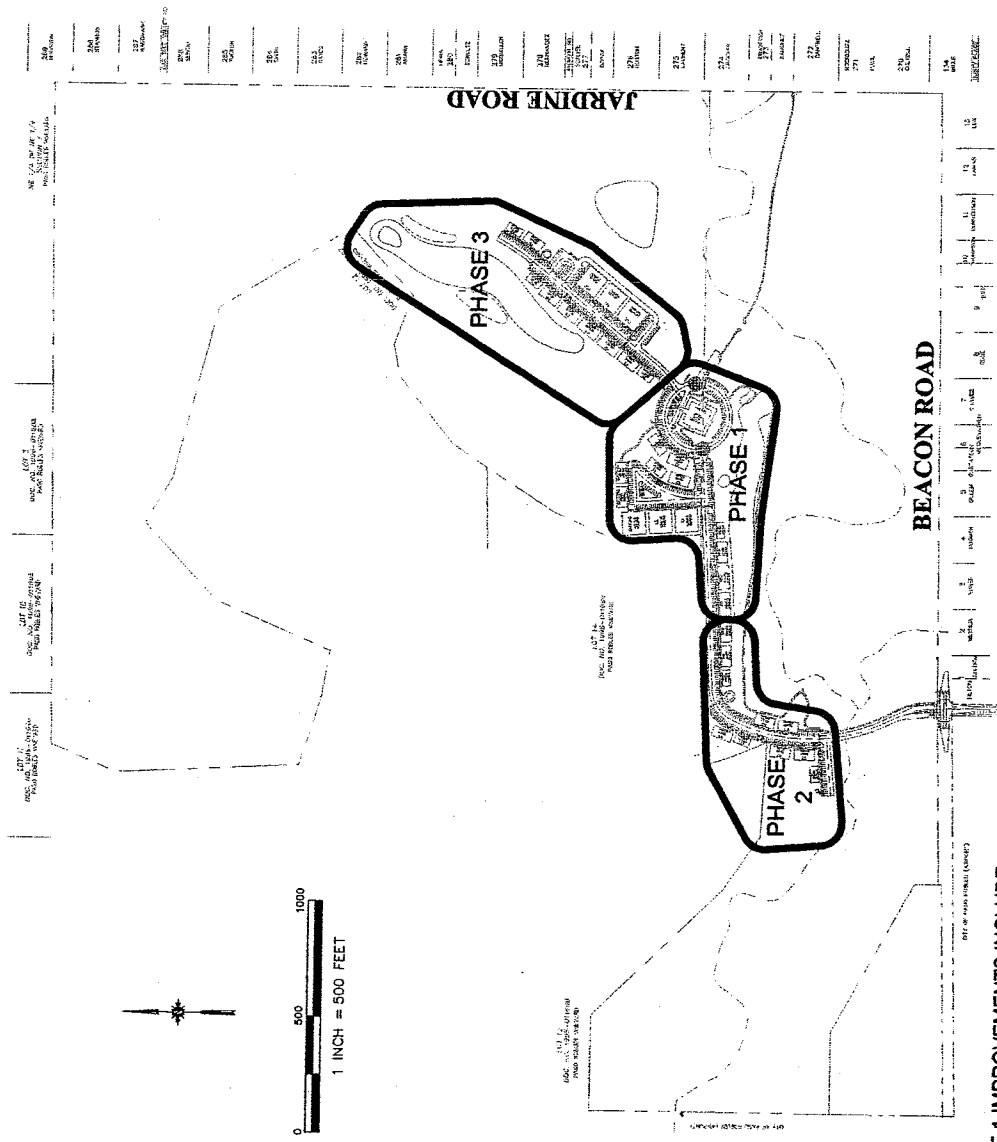
| TYPE | SIZE (SQ FT) |
|------|--------------|
| I | 2350 |
| B | 4050 |
| II | 5000 |
| IV | 10000 |

Exhibit B
Master Plan of Development
PD 06-021 & Tract 2716
(Vista del Hombre)

**PROPOSED PHASE
MAP**
VISTA DE HOMBRE
Paso Robles, CA

| PHASE | TOTAL BLDGS | TOTAL SQ. FT. |
|-------|-------------|---------------|
| 1 | 14 | 80,870* |
| 2 | 10 | 36,860 |
| 3 | 12 | 64,710 |

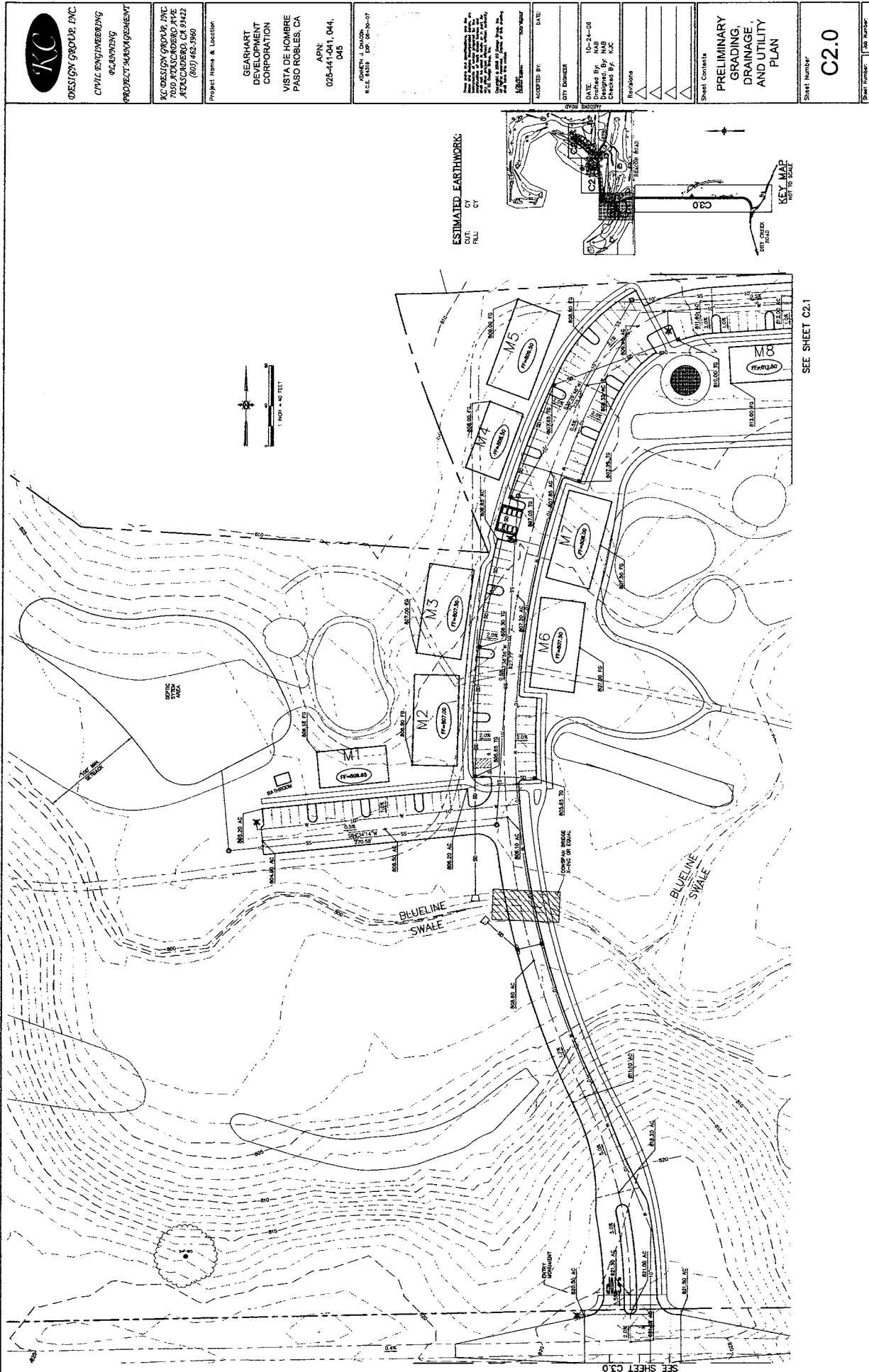
* INCLUDES EXISTING PERMITTED BUILDINGS (28,100 SF)



PHASE 1 IMPROVEMENTS INCLUDE
AEROTECH CENTER WAY EXTENSION FROM
EXISTING CUL-DE-SAC TO BEACON ROAD

Exhibit B-1
Phasing Plan
PD 06-021 & Tract 2716
(Vista del Hombre)





ESTIMATED EARTHWORK:
 CUT: CY
 FILL: CY

SEE SHEET C.1

SEE SHEET C.0

| | | | | | | | |
|--|---|---|--|--|--|---|------------------------------|
| | CIVIL ENGINEERING ARCHITECTURE PROJECT MANAGEMENT | KC DESIGN GROUP, INC. 7050 RIVINGTON DRIVE ATASCADERO, CA 94422 (805) 462-3960 | Project Name & Location GEARHART DEVELOPMENT CORPORATION VISTA DEL HOMBRE, CA PASO ROBLES, CA APN: 025-441-041, 044, 045 | COUNTY: J. DAVIS A.C.C. NUMBER: 10-24-08-27 | DATE: CITY ENGINEER: DATE: 10-24-08 DESIGNED BY: MAB CHECKED BY: NCC | PRELIMINARY GRADING, DRAINAGE, AND UTILITY PLAN | Sheet Number: C2.0 |
| | SHEET NUMBER: 2 OF 5 | | | | | | |

Exhibit C-1
Prelim. Grading & Drainage
PD 06-021 & Tract 2716
(Vista del Hombre)



KC DESIGN GROUP, INC.
 CIVIL ENGINEERING
 ARCHITECTURE
 PROJECT MANAGEMENT

KC DESIGN GROUP, INC.
 7010 ADELSON DRIVE
 ANAHEIM, CA 92814
 (714) 445-9900

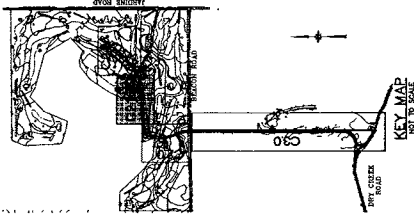
Project Name & Location

GEARHART
 DEVELOPMENT
 CORPORATION
 VISTA DEL HOMBRE
 PASO ROBLES, CA

APN:
 025-441-041, 044,
 045

CITY ENGINEER
 NAME TITLE DATE

ESTIMATED EARTHWORK:
 CUT: CY
 FILL: CY



Sheet Contents
 PRELIMINARY
 GRADING,
 DRAINAGE,
 AND UTILITY
 PLAN

Sheet Number
C2.1

Scale
 3" = 60'

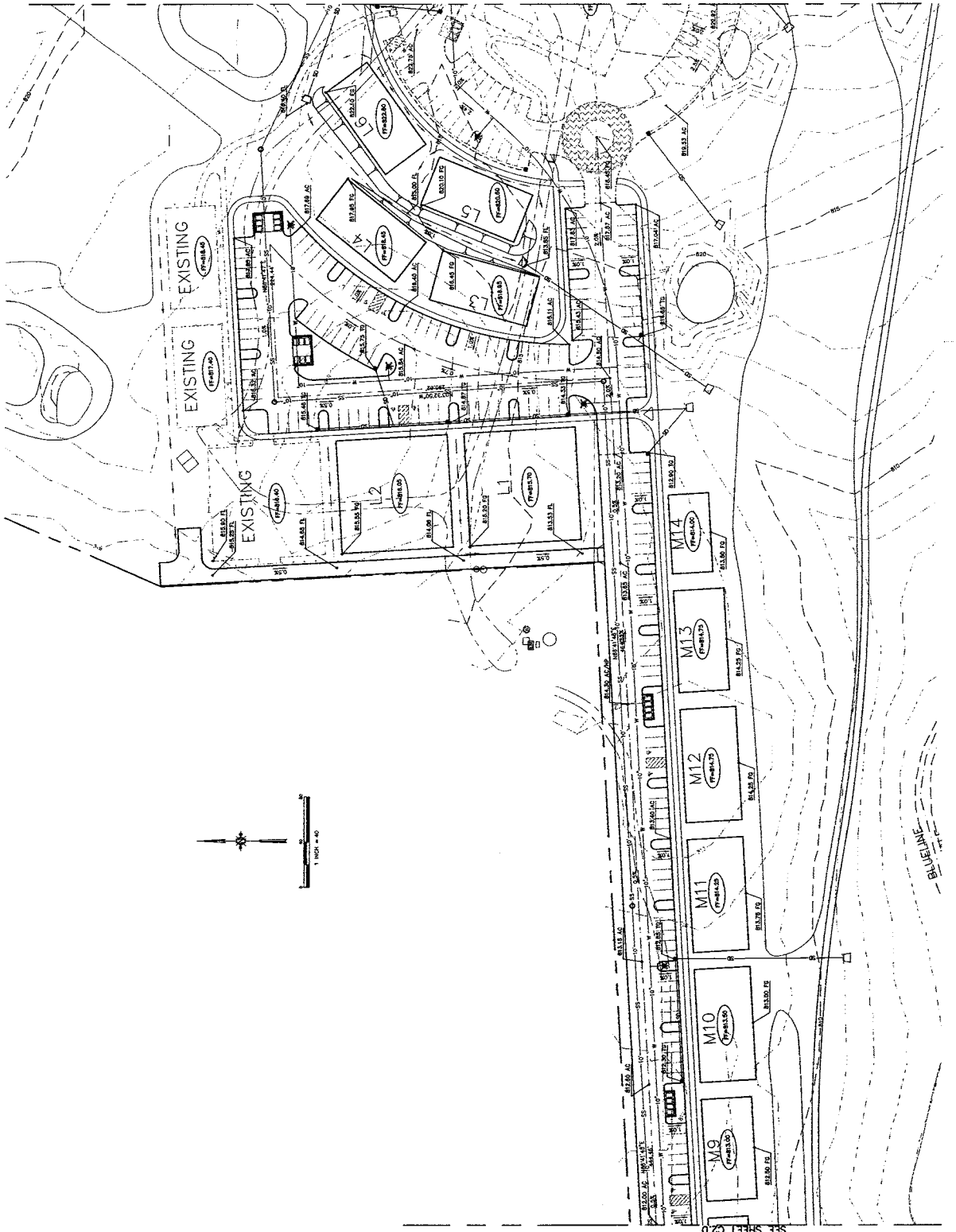


Exhibit C-2
Prelim. Grading & Drainage
PD 06-021 & Tract 2716
(Vista del Hombre)



K&C DESIGN GROUP, INC.
 CIVIL ENGINEERING
 ARCHITECTURE
 PROJECT MANAGEMENT

K&C DESIGN GROUP, INC.
 7050 AVENUE 200, SUITE 200
 SAN ANTONIO, TEXAS 78240
 (214) 483-3900

Project Name & Location

**GEARHART
 DEVELOPMENT
 CORPORATION**
 VISTA DE HOMBRE
 PASO ROBLES, CA

APN: 025-44-1041, 044,
 045

DATE: 02/24/06
 SCALE: 1" = 40'

DESIGNED BY: [Signature]
 CHECKED BY: [Signature]
 DATE: 02/24/06

CITY: BROWNSVILLE
 COUNTY: [Blank]
 STATE: TEXAS

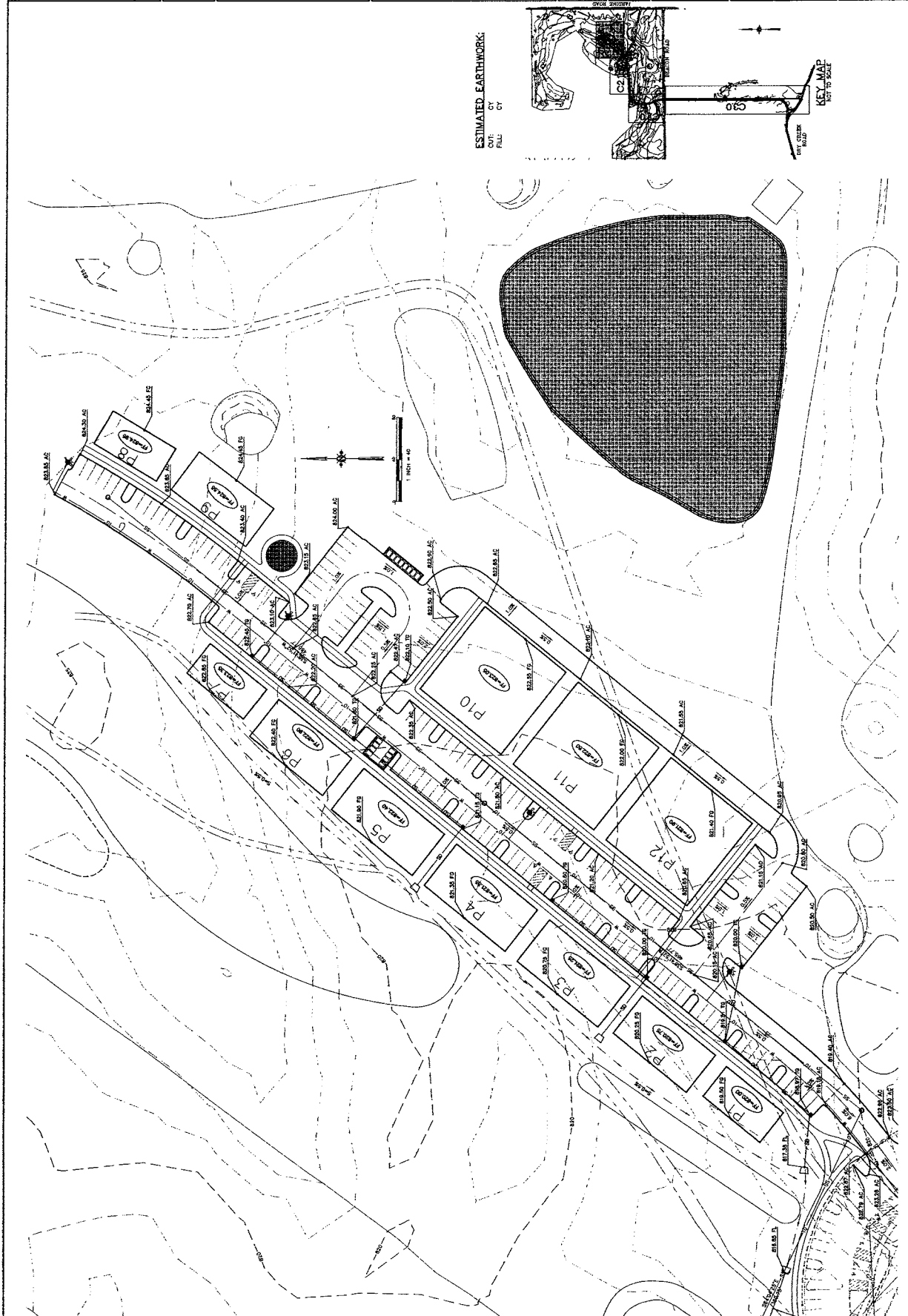
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 CHECKED BY: KAC

PROVISIONS

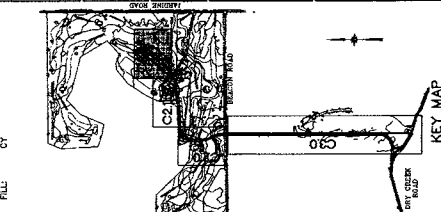
**PRELIMINARY
 GRADING,
 DRAINAGE,
 AND UTILITY
 PLAN**

Sheet Number
C2.2

Sheet Number
 4 OF 5
 Job Number
 04-029




ESTIMATED EARTHWORK:
 CUT: [Blank] CY
 FILL: [Blank] CY



2:10/2006 (04-029) Vista del Hombre (Preliminary Grading Plan) - (04-029) (02-24-06) 8:44:42 AM PST

Exhibit C-3
Prelim. Grading & Drainage
PD 06-021 & Tract 2716
(Vista del Hombre)

| | | | | | |
|--|--|--|--|--|--|
|  K.C. DESIGN GROUP, INC. CIVIL ENGINEERING PLANNING PROJECT MANAGEMENT | K.C. DESIGN GROUP, INC. 7030 ATASCADERO AVE ATASCADERO, CA 94422 (805) 463-3960 | Project Name & Location GEARHART DEVELOPMENT CORPORATION VISTA DE HOMBRE PASO ROBLES, CA | APN: 025-441041-044, 045 A.C.E. MAP# 08-30-07 | DATE: 11-01-06 Drawn By: MAB Designed By: MAB Checked By: JLC | SHEET NUMBER: 5 OF 5 SHEET NUMBER: C3.0 |
| | Project Name & Location GEARHART DEVELOPMENT CORPORATION VISTA DE HOMBRE PASO ROBLES, CA | APN: 025-441041-044, 045 A.C.E. MAP# 08-30-07 | DATE: 11-01-06 Drawn By: MAB Designed By: MAB Checked By: JLC | SHEET NUMBER: 5 OF 5 SHEET NUMBER: C3.0 | |

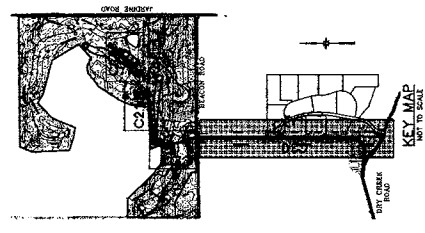
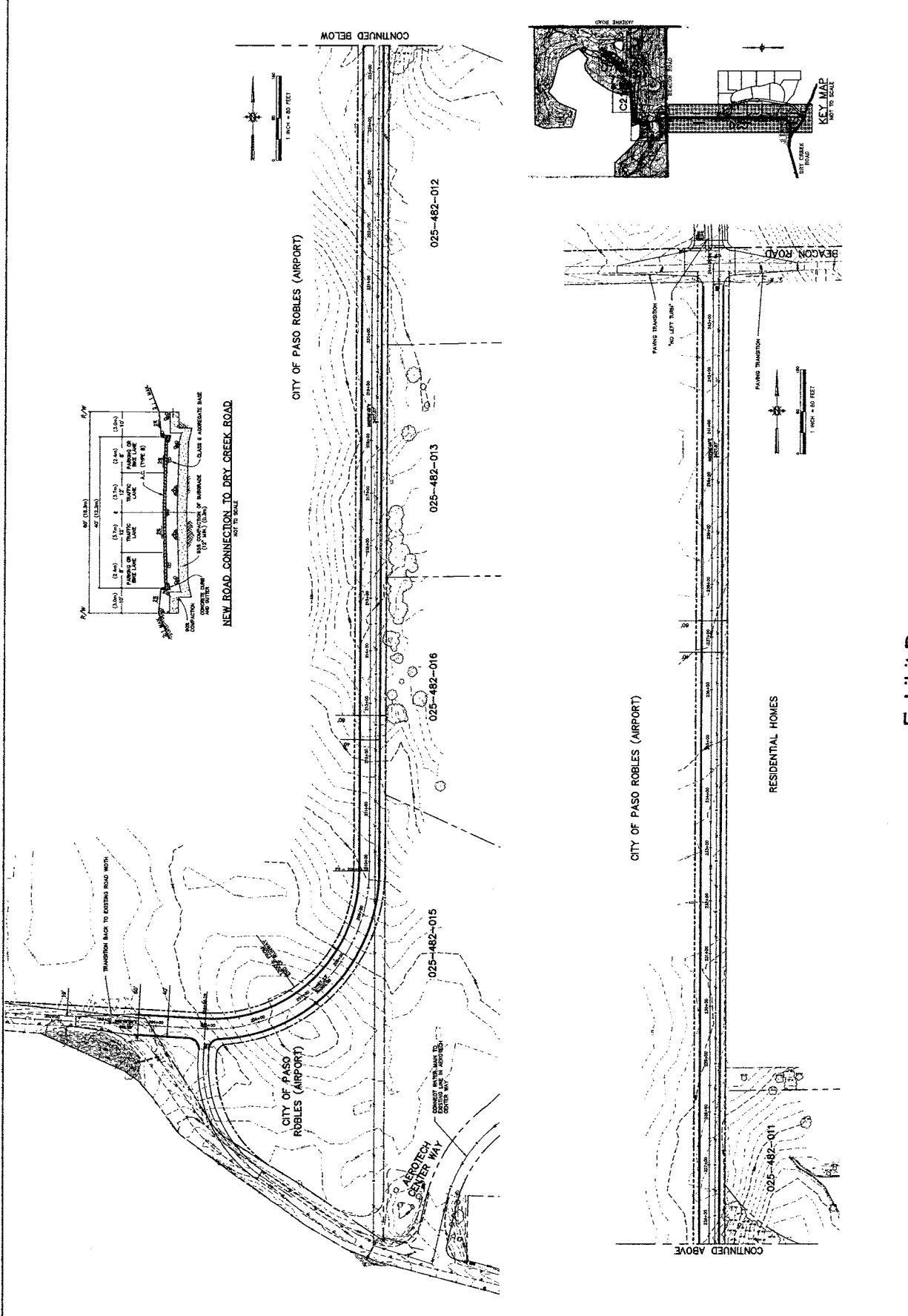
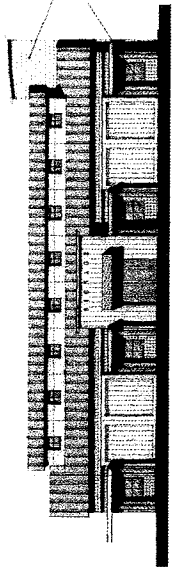
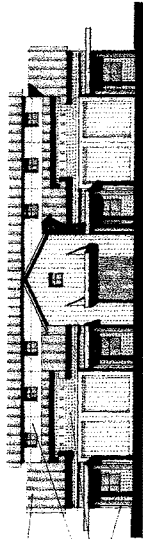


Exhibit D
Prelim. Street Improvement Plan
PD 06-021 & Tract 2716
(Vista del Hombre)

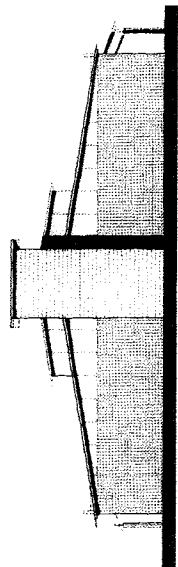
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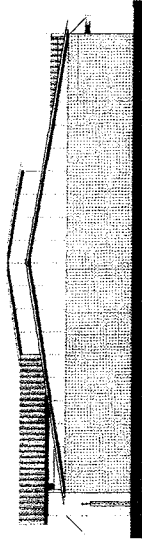
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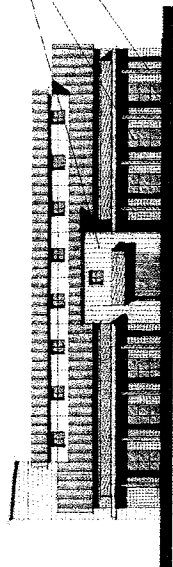
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FRONT ELEVATION - TYPE IV



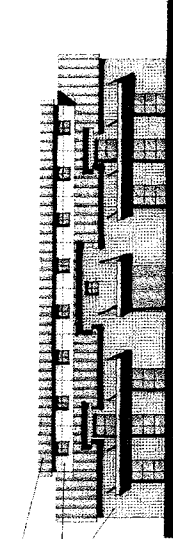
CONCEPT 1
RIGHT ELEVATION - TYPE IV



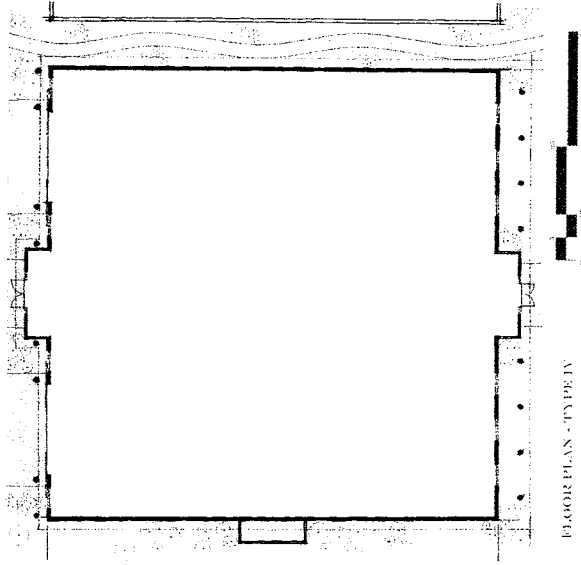
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RIGHT ELEVATION - TYPE IV



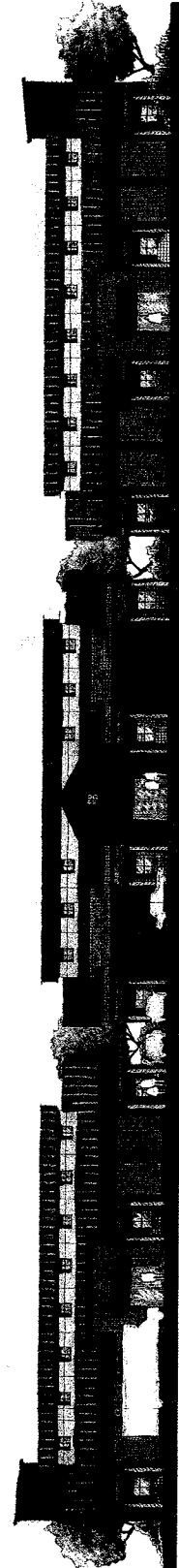
CONCEPT 1
REAR ELEVATION - TYPE IV



CONCEPT 2
LEFT ELEVATION - TYPE IV



FLOOR PLAN - TYPE IV



GEORGE CAMPBELL, JR. & SONS
PARTIAL CONTEXTUAL STREET ELEVATION

VISTA DE HOMBRE
P A S O R O B L E S I C A L I F O R N I A

Exhibit E
Arch. Elev. - Bldg IV
PD 06-021 & Tract 2716
(Vista del Hombre)

KC Design Group, Inc.

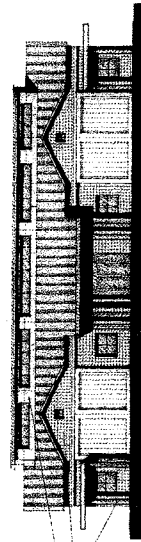
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LEONARD GRANT ARCHITECT
LEONARD GRANT ARCHITECT
LGIA
LEONARD GRANT ARCHITECT

BUILDING TYPE III - 50X100

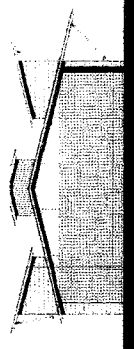
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 METAL SIDING



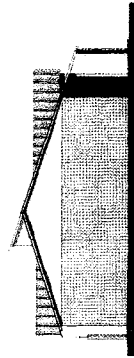
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CONCEPT 2
 FRONT ELEVATION - TYPE III

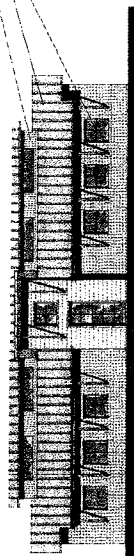


CONCEPT 1
 RIGHT ELEVATION - TYPE III

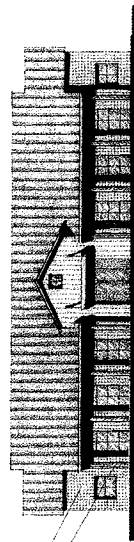


CONCEPT 2
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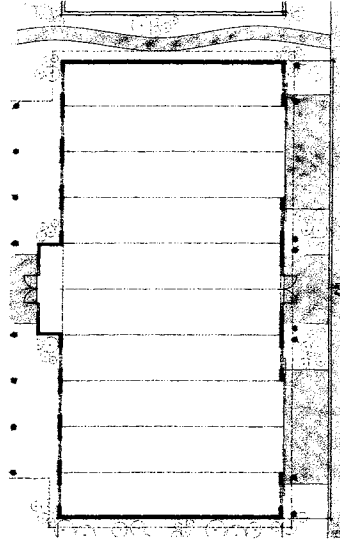
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 METAL SIDING



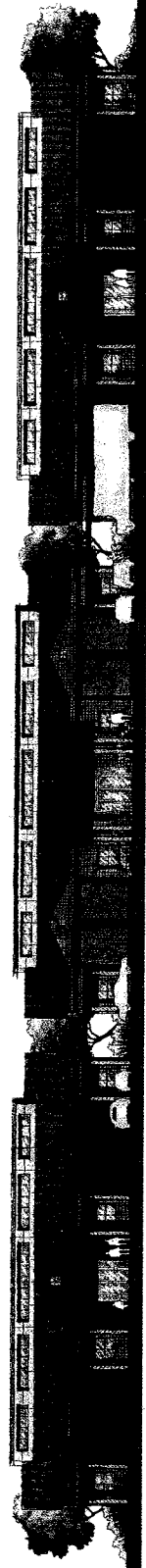
CONCEPT 1
 REAR ELEVATION - TYPE III



CONCEPT 2
 REAR ELEVATION - TYPE III



FLOOR PLAN - TYPE III



OFFICE CAMPUS - A, C, F & K
 PARTIAL CONTEXTUAL STREET ELEVATION

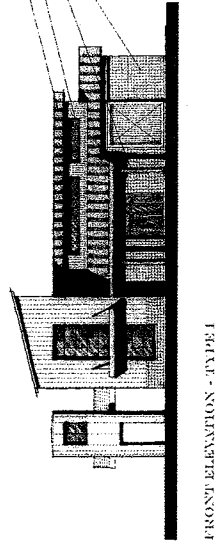
VISTA DE HOMBRE
 P A S O R O B L E S C A L I F O R N I A

Exhibit F
 Arch. Elev. - Bldg III
 PD 06-021 & Tract 2716
 (Vista del Hombre)

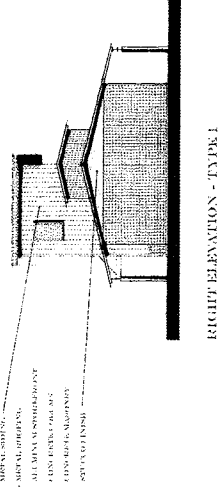
Design Group, Inc.

LEONARD GRANT ARCHITECT
 LOCAL BUREAU OFFICE
LIGA
 1000 W. 10TH AVENUE, SUITE 100, DENVER, CO 80202

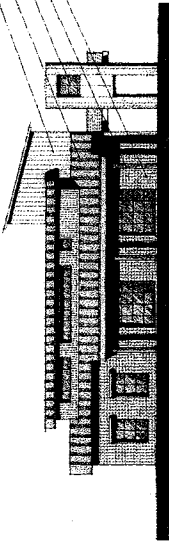
BUILDING TYPE I - 36X70



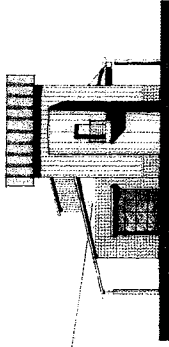
FRONT ELEVATION - TYPE I



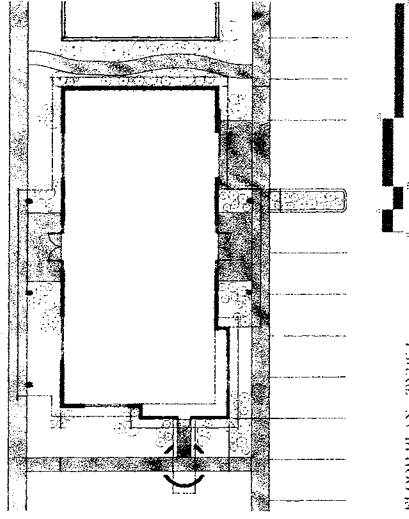
RIGHT ELEVATION - TYPE I



REAR ELEVATION - TYPE I



LEFT ELEVATION - TYPE I



FLOOR PLAN - TYPE I



OFFICE CAMPUS - E
PARTIAL CONTEXTUAL STREET ELEVATION

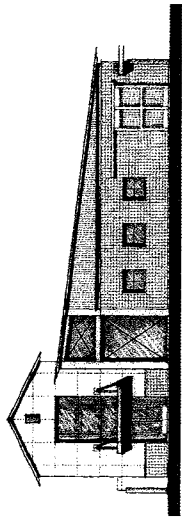
Exhibit G
Arch. Elev. - Bldg I
PD 06-021 & Tract 2716
(Vista del Hombre)

VISTA DEL HOMBRE
P A S O R O B L E S , C A L I F O R N I A

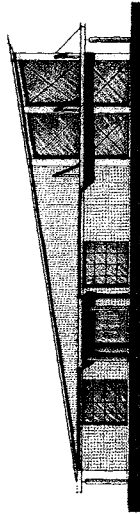
ign Group, Inc.

LEONARD GRANT, ARCHITECT
LICENSE NUMBER: 00005
LIGA
LEONARD GRANT ARCHITECTURE, INC.
10000 WILSON AVENUE, SUITE 100
DALLAS, TEXAS 75243-4500
TEL: 214-343-1111 FAX: 214-343-1112

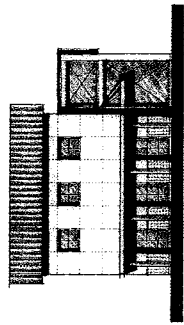
BUILDING TYPE II - 45X90



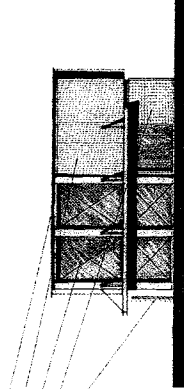
CONCEPT 1
FRONT ELEVATION - TYPE II



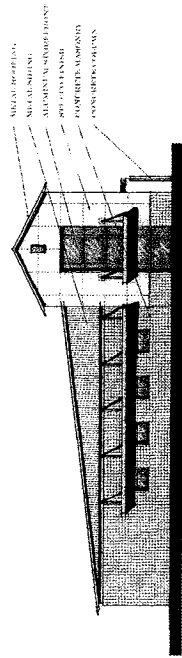
CONCEPT 2
FRONT ELEVATION - TYPE II



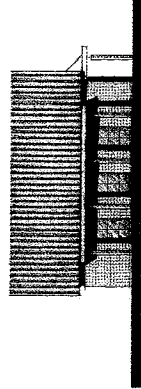
CONCEPT 1
LEFT ELEVATION - TYPE II



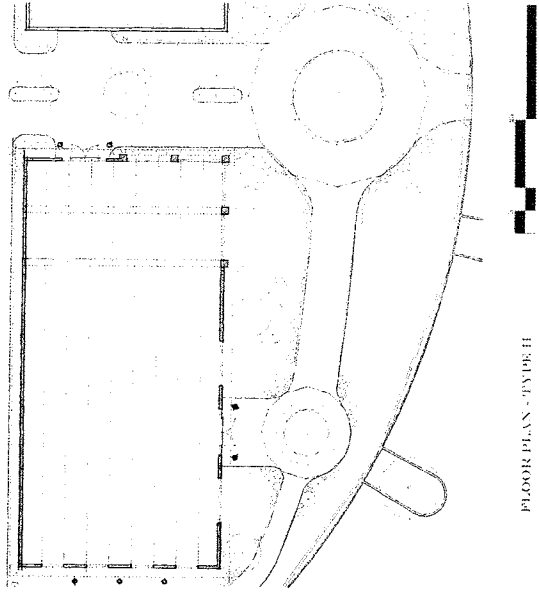
CONCEPT 2
LEFT ELEVATION - TYPE II



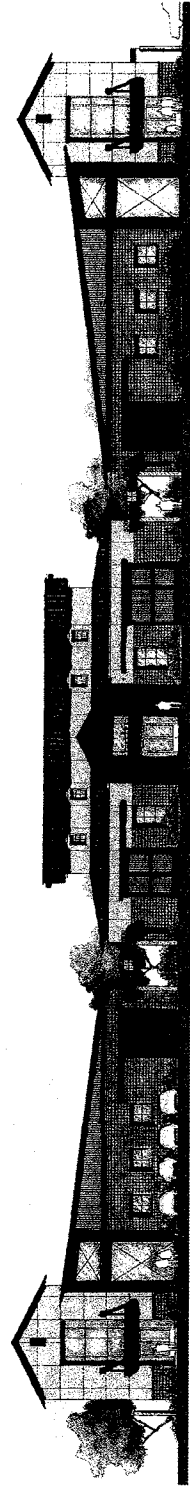
CONCEPT 1
REAR ELEVATION - TYPE II



CONCEPT 2
REAR ELEVATION - TYPE II



FLOOR PLAN - TYPE II



OFFICE CAMPUS - E
PARKING - CONTEXTUAL STREET ELEVATION

VISTA DE HOMBRE
P A S O R O B I E S C A V I F O R N I A















Exhibit H
Arch. Elev. - Bldg II
PD 06-021 & Tract 2716
(Vista del Hombre)

KC Design Group, Inc.






LEONARD GRANT ARCHITECT
10000 W. 110TH ST., SUITE 100
OVERLAND PARK, MISSOURI 66213
TEL: 913.241.1100
WWW.LGIA.COM

Preliminary Plant Materials List

Street Fringe and Parking Lots

-  GOLDENRAIN TREE
-  SOUTHERN MAGNOLIA
-  SOUTHERN LIVE OAK
-  LONDON PLANE TREE
-  CALIFORNIA STIGMARE
-  VALLEY OAK
-  STANBURY TREE (STANDARD)
-  SOUTHERN MAGNOLIA
-  COAST LIVE OAK
-  SOUTHERN LIVE OAK
-  SILK TREE
-  ANACARDIUM
-  FURBEE TREE (LUCY)
-  FURBEE TREE (LUCY)

Shrub and Ground Cover Areas

-  SASSAPOUA CAMELLIA
-  ROSE
-  SASSAPOUA CAMELLIA
-  BLUE POINT JUNIPER
-  (NO COMMON NAME)
-  CATALPA CHERRY
-  GLOBE ABELIA
-  PINK BLOSSOMING LAUREL
-  GLOBE ABELIA
-  GLOBE ABELIA
-  GLOBE ABELIA
-  GLOBE ABELIA
-  GLOBE ABELIA
-  GLOBE ABELIA
-  GLOBE ABELIA

Golf Course Fringe Areas

-  RED JONKARK
-  ITALIAN STONE PINE
-  ITALIAN STONE PINE
-  ITALIAN STONE PINE
-  ITALIAN STONE PINE
-  ITALIAN STONE PINE
-  ITALIAN STONE PINE
-  ITALIAN STONE PINE

Notes: Net to average 25% of total landscape area
 50% of total shrub and ground cover area
 10% of total tree canopy area

Notes:
 MATCH ALL GROUND COVER AND PLANTER AREAS WITH 6" MINIMUM LAYER WALKON BARK.

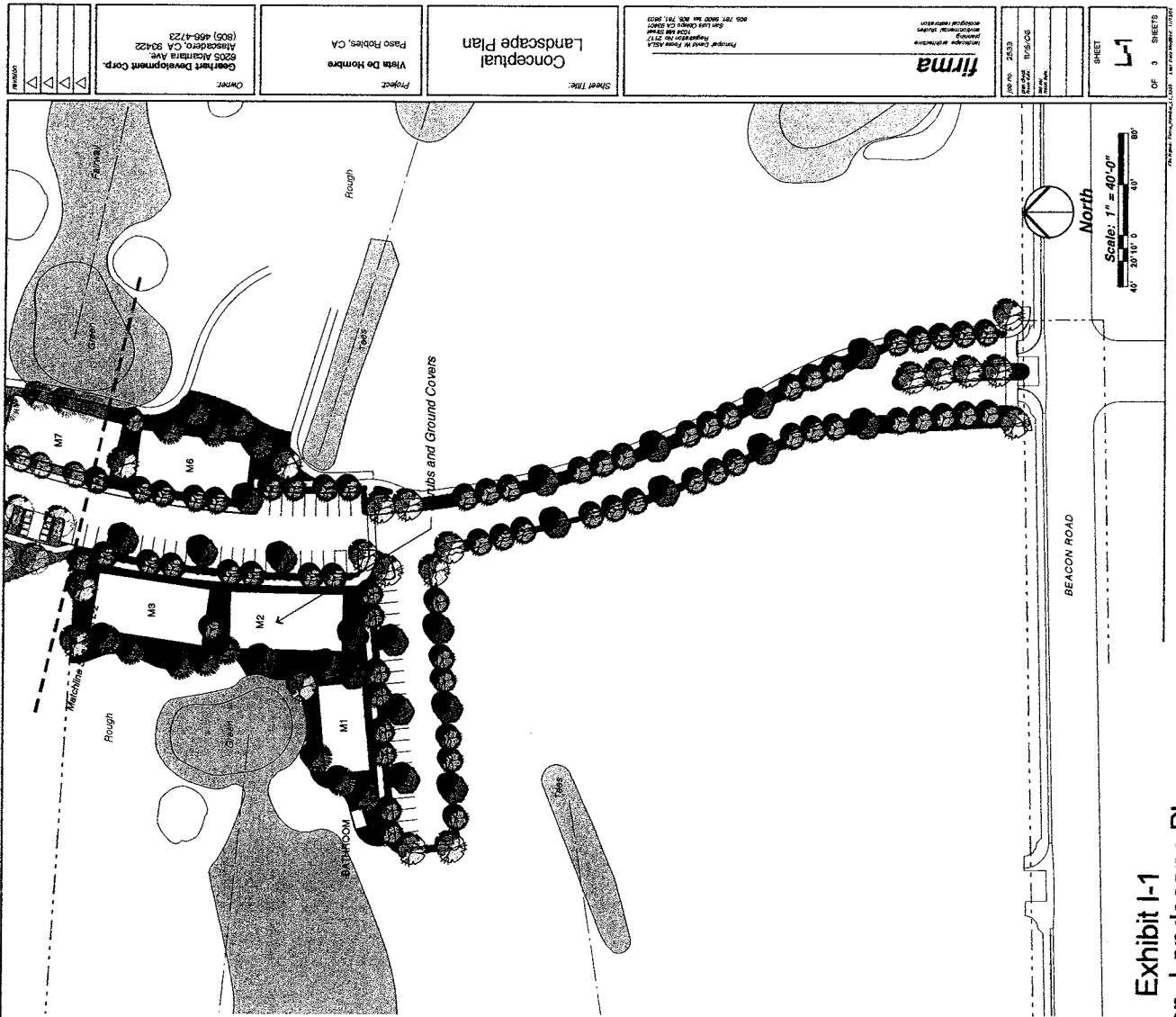


Exhibit I-1
Concep. Landscape Plan
PD 06-021 & Tract 2716
(Vista del Hombre)

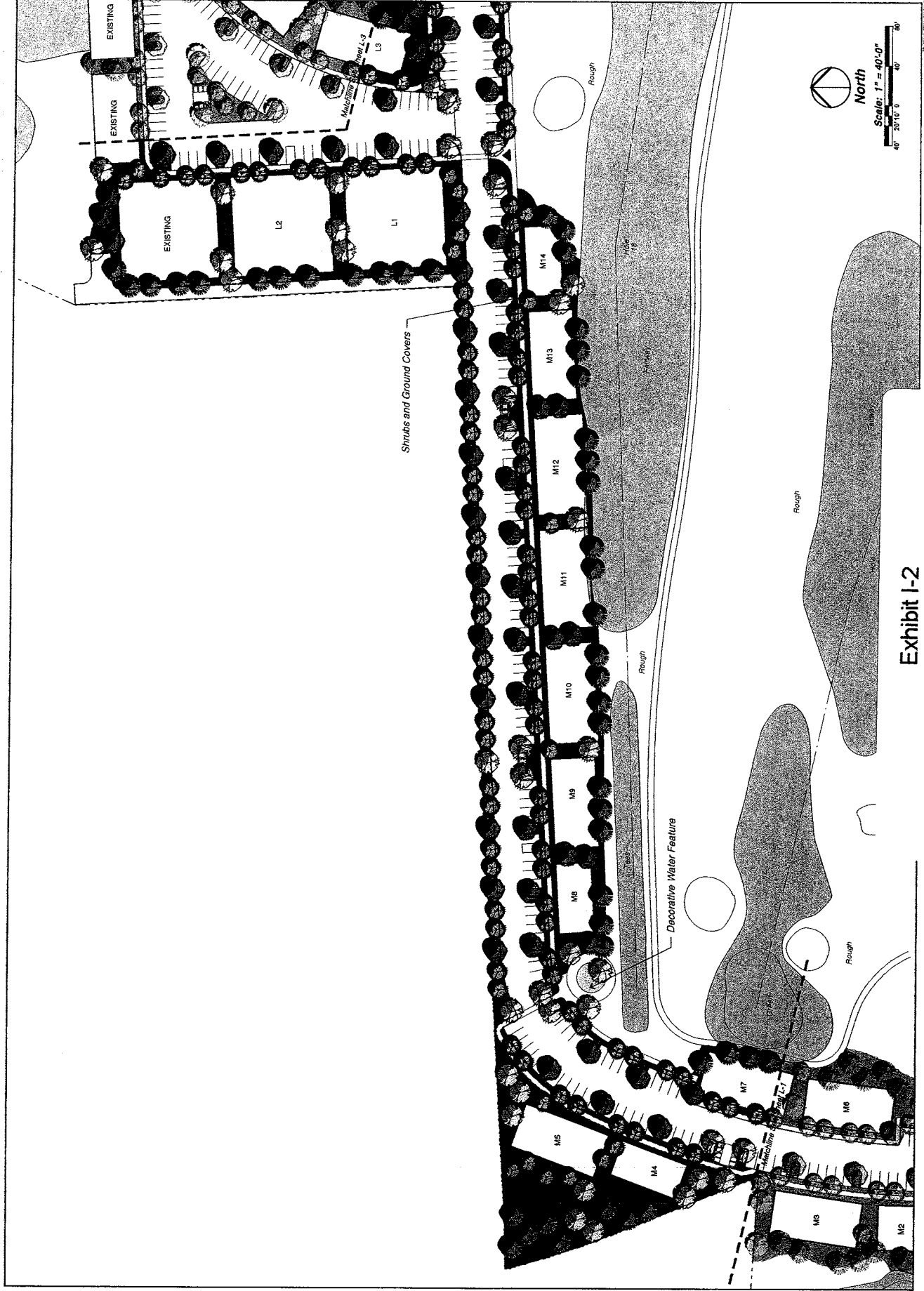


Exhibit I-2
 Concep. Landscape Plan
 PD 06-021 & Tract 2716
 (Vista del Hombre)

| | | | | | |
|------------------------------------|---|--|--|--|---|
| SHEET L-3 OF 3 SHEETS | DATE: 2023 DRAWN BY: TJS-CDE CHECKED BY: TJS-CDE SCALE: 1" = 40'-0" PROJECT NO.: 2716 | firma landscape architecture 10000 Wilshire Blvd, Suite 1000 Beverly Hills, CA 90210 TEL: 310.355.1000 FAX: 310.355.1007 WWW.FIRMAARCHITECTURE.COM | SHEET TITLE: Conceptual Landscape Plan | PROJECT: Vista Del Hombre Paso Robles, CA | OWNER: Geart Development Corp. 8205 Alcantara Ave. Alhambra, CA 91802 (909) 486-4723 |
| | REVISIONS: 1 2 3 | | | | |

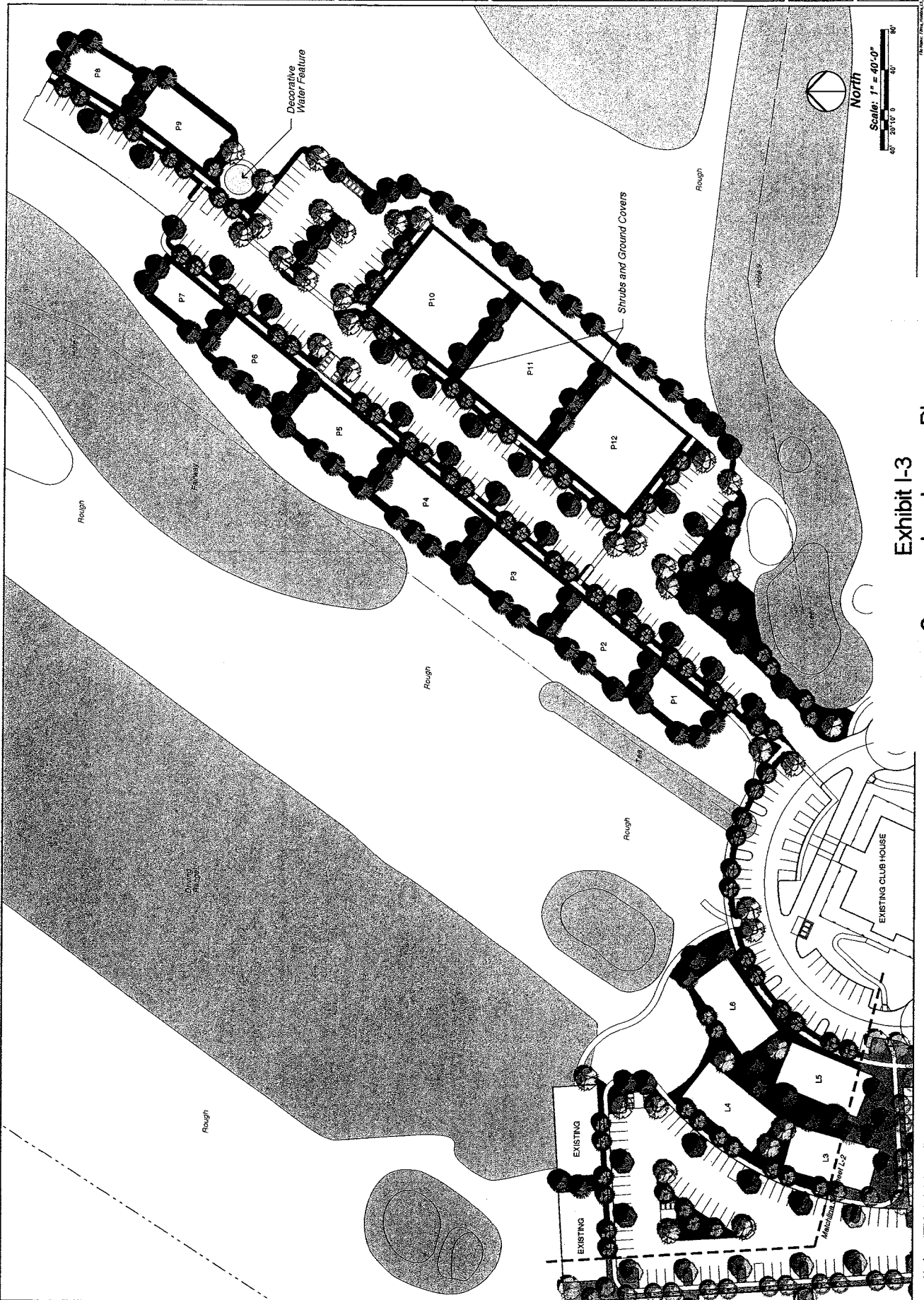
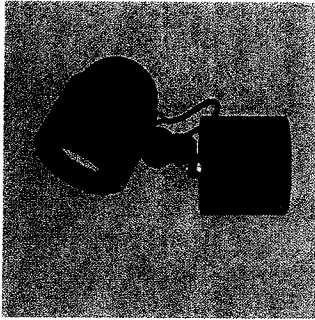
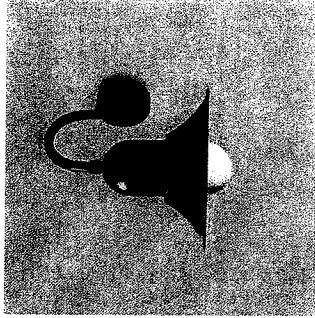


Exhibit I-3
Concep. Landscape Plan
PD 06-021 & Tract 2716
(Vista del Hombre)



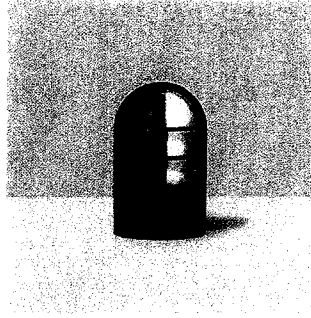
I.D. Sign Uplight



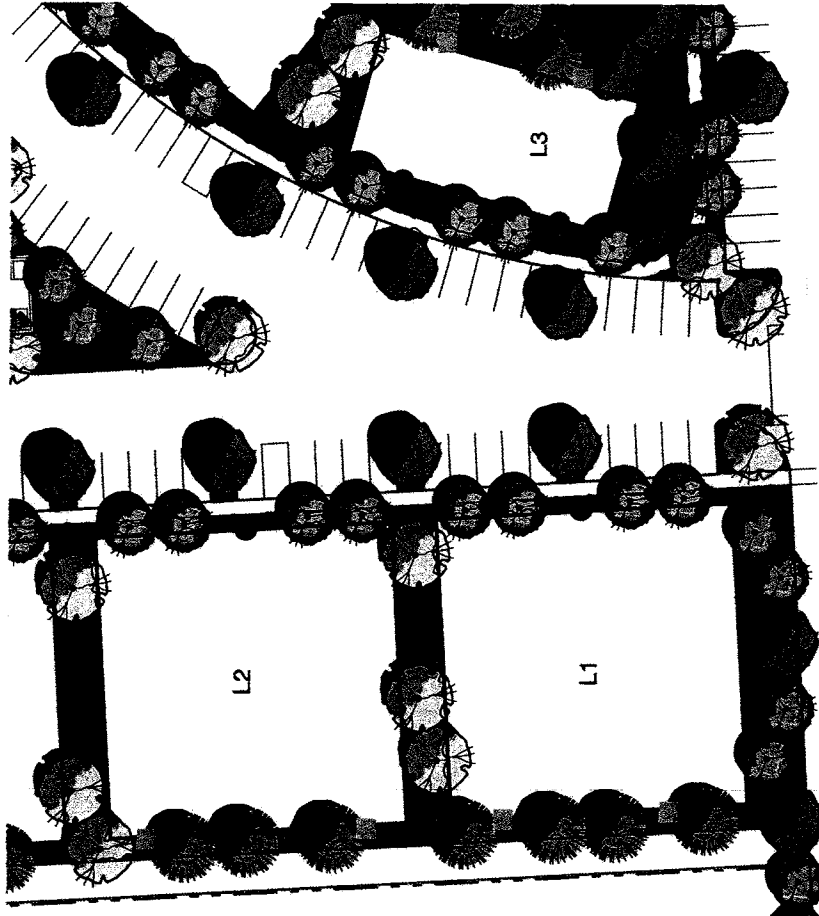
Architectural Area light



Pole Mounted Light



Architectural Accent light



- LEGEND**
- ◆ Pole Mounted Light
 - ▲ I.D. Sign Uplight
 - Architectural Accent light
 - Architectural Area light



Conceptual Lighting Plan

Vista de Hombre
 Paso Robles, CA
 Gearhart Development Corp.

CONCEPTUAL LIGHTING PLAN
 (PORTION OF SITE)
 Scale: 1" = 40'-0"

Exhibit J
 Concep. Lighting Plan
 PD 06-021 & Tract 2716
 (Vista del Hombre)

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT APPROVAL FOR TENTATIVE MAP 2716
(VISTA DEL HOMBRE - GEARHART)
APN: 025-442-044 & 045

WHEREAS, Planned Development 06-021 has been filed by Kirk Consulting on behalf of Vista Del Hombre, LLC – Kelly Gearhart, to construct a 154,340 square foot manufacturing/light-industrial complex at the Links Golf Course located at 5151 Jardine Road; and

WHEREAS, the 210 acre site is zoned AP-PD (Airport, Planned Development Overlay), and has a General Plan designation of BP, (Business Park); and

WHEREAS, in conjunction with PD 06-021, the applicant has submitted Tentative Tract 2716, which would subdivide the property into 39 separate lots; and

WHEREAS, the original project was reviewed by the Planning Commission on August 14, 2007, where the Commission on a 4-2 vote (one vacancy) denied the project, the denial was based on the Planning Commission's finding that the project as designed and conditioned, could create traffic impacts on Dry Creek Road and Jardine Road which are not currently designed to handle traffic associated with this development; and

WHEREAS, on September 11, 2007, Kirk Consulting, on behalf of Gearhart Development submitted a modified project for Vista del Hombre, the modifications consist of the following:

- a. Changed the phasing of the project to focus on Dry Creek Road improvements;
- b. Eliminating access from the project to Jardine Road. A gate will be placed and only emergency vehicle access will be allowed for;
- c. Prevent access from the project on Beacon Road;

and;

WHEREAS, an Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) and a Mitigated Negative Declaration was approved by the Planning Commission on October 23, 2007, and

WHEREAS, a public hearing was conducted by the Planning Commission on October 23, 2007 to consider facts as presented in the staff report prepared for the tentative tract map, and to accept public testimony regarding the application, and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby grant tentative map approval for Tentative Tract 2716 subject to the following conditions of approval:

STANDARD CONDITIONS OF APPROVAL:

1. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 06-021 and its exhibits. In the event that either the tract or development plan is not approved, the approval of one plan does not automatically grant approval of the other.

SITE SPECIFIC CONDITIONS OF APPROVAL:

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

COMMUNITY DEVELOPMENT 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 so as to substantially conform with the following listed exhibits and conditions established by this resolution:

| <u>EXHIBIT</u> | <u>DESCRIPTION</u> |
|----------------|---------------------|
| A-1 & A-2 | Tentative Tract Map |

3. Tentative Tract Map 2716 coincides with Planned Development 06-021 and authorizes the subdivision of a 210-acre parcel into a 39-lot commercial and industrial development. Parcels 36-38 would be the larger parcels that make up the Links Golf Course.
4. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map and preliminary grading plan (Exhibits A, reductions attached; full size copies are on file in the Community Development Department) and as amended by site specific and standard conditions contained in this resolution.
5. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 06-021 and its exhibits.

PASSED AND ADOPTED THIS 23rd day of October, 2007 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN, MARGARET HOLSTINE

ATTEST:

RON WHISENAND, SECRETARY OF THE PLANNING COMMISSION

H:\darren\PD\VistadelHombre\Oct 23rd Map Reso



K.C. DESIGN GROUP, INC.
CIVIL ENGINEERING
PLANNING
PROJECT MANAGEMENT

K.C. DESIGN GROUP, INC.
1933 S. EL CAMINO REAL, SUITE 100
SAN JOSE, CALIFORNIA 95128
(408) 433-7000

PROJECT Name & Location

VISTA DEL HOMBRE
OFFICE CAMPUS
GOLF COURSE
PASO ROBLES, CA

APN: 025-441-041,
044, 045

OWNER: J. GONZALEZ
DATE: 06-20-07

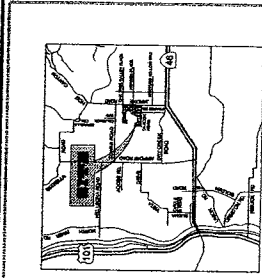
DRAWN BY: J.T.
CHECKED BY: K.C.

DATE: 06-20-07
DRAWN BY: J.T.
CHECKED BY: K.C.

REVISIONS

SHEET CONTENTS
VESTING
TENTATIVE
TRACT MAP
TRACT 2716

SHEET NUMBER
TM-1



VICINITY MAP

OWNER'S STATEMENT

I, the undersigned, being the owner of the property herein described, do hereby certify that the information herein stated is true and correct to the best of my knowledge.

LEGEND

- 1. FIRE HYDRANT
- 2. WATER VALVE
- 3. WATER METER
- 4. GAS METER
- 5. GAS VALVE
- 6. PHONE pedestal
- 7. SCHEDULED SIGN MARKER
- 8. CLEAN CAP
- 9. ELECTRIC BOX
- 10. TRANSFORMER
- 11. TV BOX
- 12. STORM SEWER MARKER
- 13. SANITARY SEWER MARKER
- 14. SAND PILE
- 15. SAND PIT
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- 100. SANDPILE

LEGAL DESCRIPTION

TRACT 2716, COMMUNITY DEVELOPMENT, TRACT 2716, PARCEL 1, COUNTY OF SAN JOSE, STATE OF CALIFORNIA.

ACRES: 1.0000

ADJACENT LOTS

| Lot No. | Area (sq. ft.) | Owner |
|---------|----------------|-------|
| LOT 1 | 1,000 | ... |
| LOT 2 | 1,000 | ... |
| LOT 3 | 1,000 | ... |
| LOT 4 | 1,000 | ... |
| LOT 5 | 1,000 | ... |
| LOT 6 | 1,000 | ... |
| LOT 7 | 1,000 | ... |
| LOT 8 | 1,000 | ... |
| LOT 9 | 1,000 | ... |
| LOT 10 | 1,000 | ... |
| LOT 11 | 1,000 | ... |
| LOT 12 | 1,000 | ... |
| LOT 13 | 1,000 | ... |
| LOT 14 | 1,000 | ... |
| LOT 15 | 1,000 | ... |
| LOT 16 | 1,000 | ... |
| LOT 17 | 1,000 | ... |
| LOT 18 | 1,000 | ... |
| LOT 19 | 1,000 | ... |
| LOT 20 | 1,000 | ... |
| LOT 21 | 1,000 | ... |
| LOT 22 | 1,000 | ... |
| LOT 23 | 1,000 | ... |
| LOT 24 | 1,000 | ... |
| LOT 25 | 1,000 | ... |
| LOT 26 | 1,000 | ... |
| LOT 27 | 1,000 | ... |
| LOT 28 | 1,000 | ... |
| LOT 29 | 1,000 | ... |
| LOT 30 | 1,000 | ... |
| LOT 31 | 1,000 | ... |
| LOT 32 | 1,000 | ... |
| LOT 33 | 1,000 | ... |
| LOT 34 | 1,000 | ... |
| LOT 35 | 1,000 | ... |
| LOT 36 | 1,000 | ... |
| LOT 37 | 1,000 | ... |
| LOT 38 | 1,000 | ... |
| LOT 39 | 1,000 | ... |
| LOT 40 | 1,000 | ... |
| LOT 41 | 1,000 | ... |
| LOT 42 | 1,000 | ... |
| LOT 43 | 1,000 | ... |
| LOT 44 | 1,000 | ... |
| LOT 45 | 1,000 | ... |
| LOT 46 | 1,000 | ... |
| LOT 47 | 1,000 | ... |
| LOT 48 | 1,000 | ... |
| LOT 49 | 1,000 | ... |
| LOT 50 | 1,000 | ... |

- 289 HOUSTON
- 288 STEWART
- 287 HOUMANS
- 286 SPOFFORD
- 285 LOCKER
- 284 SPAIN
- 283 GATES
- 282 THORNTON
- 281 ALMAN
- LEWIS
- 280
- SMILTZ
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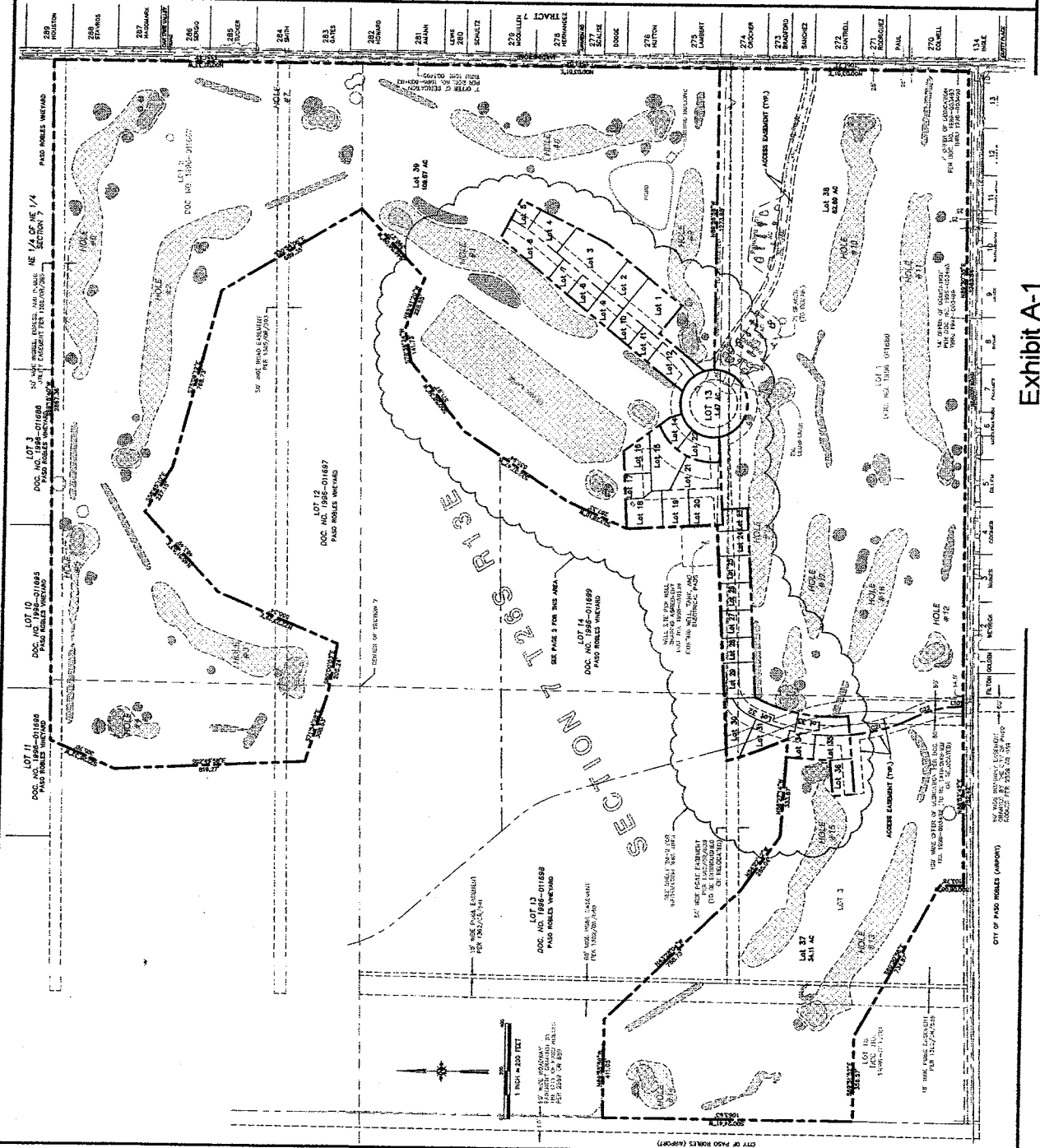


Exhibit A-1
Tentative Tract 2716
PD 06-021 & Tract 2716
(Vista del Hombre)



DESIGN GROUP, INC.
 CIVIL ENGINEERING
 PLANNING
 PROJECT MANAGEMENT

DESIGN GROUP, INC.
 5533 W. 116th Street
 Suite 200
 Overland Park, KS 66212
 (913) 662-1940

Project Name & Location

VISTA DE HOMBRE
 OFFICE CAMPUS
 GOLF COURSE
 PASO ROBLES, CA

APN: 026-441-041,
 044, 045

OWNER:
 RICHIE, A. & DAVID
 AGE 4219 EXP. 08-05-09

DATE: 08-08-07
 Drawn By: JLT
 Checked By: KJC
 Created By: KJC

ACCEPTED BY: _____ DATE: _____

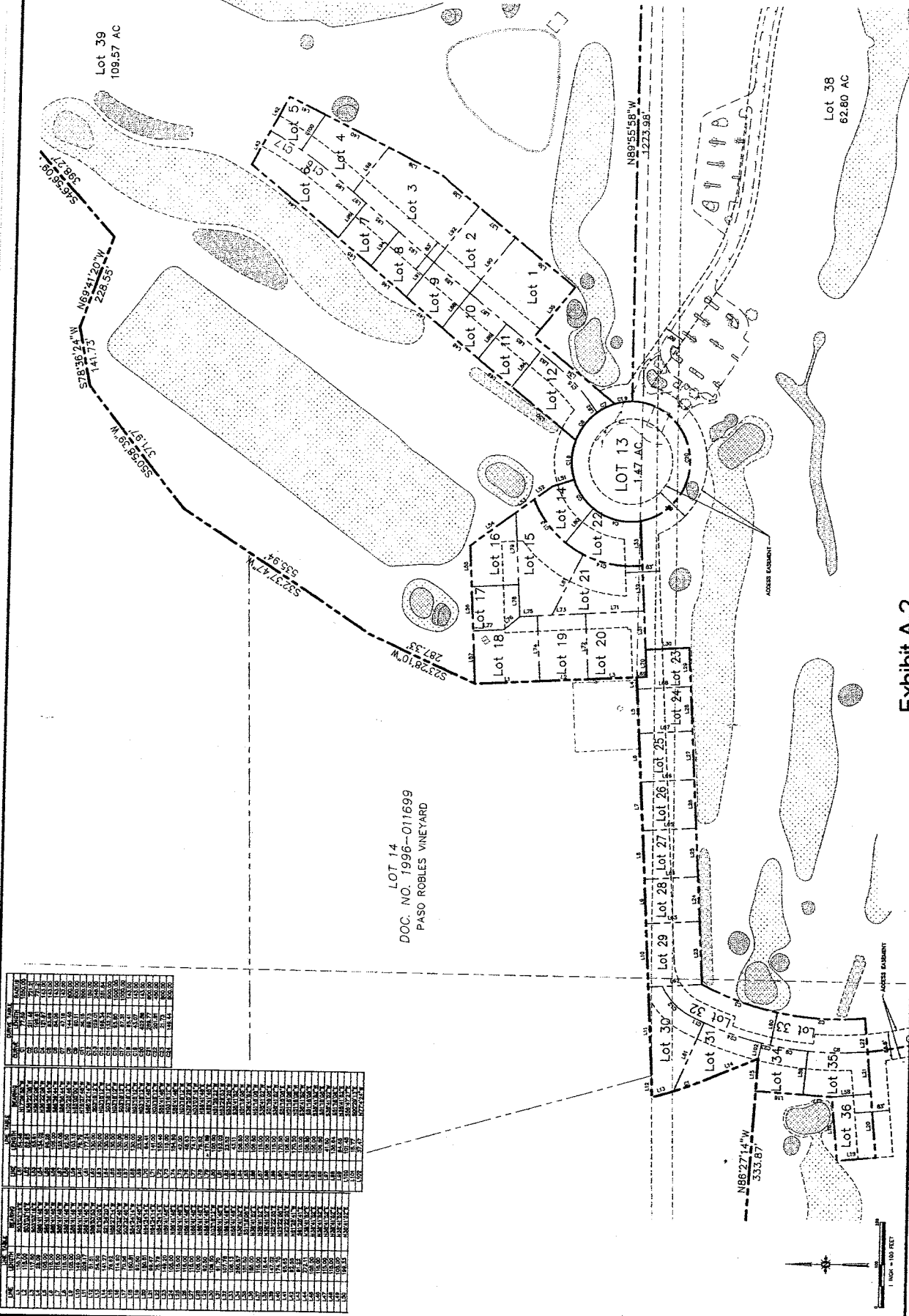
DATE: 08-08-07
 Drawn By: JLT
 Checked By: KJC
 Created By: KJC

Revisions

SHEET CONTENTS
 VESTING
 TENTATIVE
 TRACT MAP
 TRACT 2716

Sheet Number
TM-2

Scale: 1" = 100 FEET



| Lot No. | Area (Ac.) | Area (Sq. Ft.) | Notes |
|---------|------------|----------------|-------------|
| 1 | 0.15 | 10,430 | |
| 2 | 0.15 | 10,430 | |
| 3 | 0.15 | 10,430 | |
| 4 | 0.15 | 10,430 | |
| 5 | 0.15 | 10,430 | |
| 6 | 0.15 | 10,430 | |
| 7 | 0.15 | 10,430 | |
| 8 | 0.15 | 10,430 | |
| 9 | 0.15 | 10,430 | |
| 10 | 0.15 | 10,430 | |
| 11 | 0.15 | 10,430 | |
| 12 | 0.15 | 10,430 | |
| 13 | 1.47 | 101,000 | Highlighted |
| 14 | 0.15 | 10,430 | |
| 15 | 0.15 | 10,430 | |
| 16 | 0.15 | 10,430 | |
| 17 | 0.15 | 10,430 | |
| 18 | 0.15 | 10,430 | |
| 19 | 0.15 | 10,430 | |
| 20 | 0.15 | 10,430 | |
| 21 | 0.15 | 10,430 | |
| 22 | 0.15 | 10,430 | |
| 23 | 0.15 | 10,430 | |
| 24 | 0.15 | 10,430 | |
| 25 | 0.15 | 10,430 | |
| 26 | 0.15 | 10,430 | |
| 27 | 0.15 | 10,430 | |
| 28 | 0.15 | 10,430 | |
| 29 | 0.15 | 10,430 | |
| 30 | 0.15 | 10,430 | |
| 31 | 0.15 | 10,430 | |
| 32 | 0.15 | 10,430 | |
| 33 | 0.15 | 10,430 | |
| 34 | 0.15 | 10,430 | |
| 35 | 0.15 | 10,430 | |
| 36 | 0.15 | 10,430 | |

LOT 14
 DOC. NO. 1996-011699
 PASO ROBLES VINEYARD

Exhibit A-2
Tentative Tract 2716
PD 06-021 & Tract 2716
(Vista del Hombre)

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

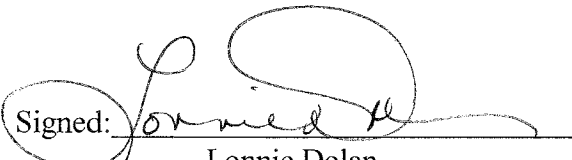
Newspaper: Tribune

Date of Publication: September 22, 2007

Meeting Date: October 23, 2007
(Planning Commission)

Project: Planned Development 06-021 &
Tentative Tract 2716 (Gearhart/
Vista del Hombre)

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 OF INTENT TO ADOPT
A MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider adoption of a Mitigated Negative Declaration (statement that there will be no significant environmental effects because of the required mitigation measures) in accordance with the provisions of the California Environmental Quality Act (CEQA), and approval of a Planned Development for the following project:

Planned Development 06-021 & Tentative Tract 2716: an application filed by Kirk Consulting on behalf of Vista del Hombre, LLC - Kelly Gearhart, requesting to construct 154,340 square feet of manufacturing/light-industrial uses within a total of 32 separate buildings. Within the 154,340 square feet, there is proposed to be some support commercial and office uses included in the project. The buildings with associated parking, access and landscape areas would develop approximately 14-acres of the existing 210 acre Links Golf Course. A subdivision is also being requested so that each building would be located on a separate parcel. In conjunction with the project, the applicant will be extending the existing Aero Tech Center Way public road to the north to access the project. This would be the main access point to the project. The existing Links Golf Course will remain in operation with the development of this project.

The public review period for the Draft Mitigated Negative Declaration commences on September 22, 2007, and ends at the Public Hearing, which is scheduled for the Planning Commission on Tuesday, October 23, 2007.

The meeting will begin at the hour of 7:30 pm in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.

The proposed Mitigated Negative Declarations 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 development plan, tentative tract and mitigated negative declaration 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 public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970.

If you challenge the development plan, tentative tract or mitigated negative declaration 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
September 22, 2007

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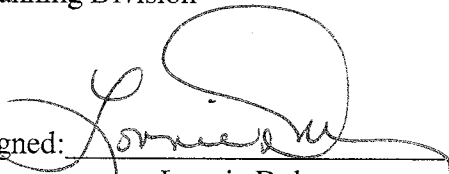
**AFFIDAVIT
OF MAIL NOTICES**

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Lonnie Dolan, 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 06-021 & Tentative Tract 2716 (Gearhart – Vista del Hombre) on this 3rd day of October 2007.

City of El Paso de Robles
Community Development Department
Planning Division

Signed:



Lonnie Dolan

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