TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PLANNED DEVELOPMENT 08-006 (JUSTIN VINEYARD & WINERY, INC.)

(JOSIII) VIIVEIIMD & WIIVENI, IIV

**DATE: JUNE 24, 2008** 

**Needs:** For the Planning Commission to consider an application filed by Steven Pults

on behalf of Justin Vineyard & Winery, Inc. proposing to construct a  $\pm 33,000$ 

square foot winery/storage building.

**Facts:** 

1. The project is located on Lot 8 on Wisteria Lane (see attached Vicinity Map).

- 2. Planned Development 08-006 is a proposal to construct a new winery/storage totaling  $\pm 33,000$  square feet. The proposed building will consist of  $\pm 25,600$  of winery and  $\pm 7,400$  of administration/office space.
- 3. The project site's General Plan designation is Business Park (BP) and is zoned Planned Industrial (PM).
- 4. On May 20, 2008, City Council approved removal of an existing oak tree (OTR 08-004) on the project site that is in a declining state of health. Oak tree replacements require the planting of nine one-half inches in diameter of Blue Oak replacement trees.
- 5. Per Zoning Code §21.23B.030 Review Requirements, construction of buildings with 10,000 square feet or more requires approval of a Development Plan.
- 6. The applicant is requesting the Planning Commission to make a finding to allow 36 parking spaces instead of the required 62 parking spaces and two loading spaces due to the minimal amount of staff required to operate the winery.
- 7. The project is exempt under Article 19 of the California Environmental Quality Act, Categorical Exemptions (Class 32, §15332 In-Fill Development Projects).
- 8. The DRC and staff reviewed the project on April 21, 2008 and concluded that the architecture and design meet the standards of the Industrial Design Guidelines, Golden Hill Industrial Business Park Design Guidelines, and Zoning Code. The DRC recommended staff

look into allowing less parking spaces for the site, and for the Planning Commission approve this project.

# Analysis and Conclusion:

Lot 8 is part of Tract 2778 and PD 97-013, which subdivided a 28 acre site along with re-subdivision of 19 acres into 20 lots ranging in size from 1-acre to 2-acres for business park development (totaling 47 acres). The subject property is located at the eastern terminus of Wisteria Lane, north of Highway 46 East and east of Golden Hill Road.

A topic of discussion at the DRC meeting involved the required on-site parking. The Zoning Code requires 62 parking spaces for this project, based on one space per 500 square feet of manufacturing, one space per 1,000 square feet of storage, and one space per 200 of office. The applicant has documented their projection of staff needed for the winery to operate. (See attached letter.) In general, they do not anticipate more than eight staff present on the site at any one time. Therefore, the applicant is requesting a parking ratio of one space per 5,000 square feet for all winery operations.

The winery component of this use would typically only require three people working in the winery area of the building. This is similar in traffic generation of a mini-storage which is typically only have two employees on the site at a time. The parking requirement for mini-storage is one space per 5,000 square feet. The Planning Commission has the latitude from Zoning Code Section 21.22.050 to make a determination that the use or impacts from the use otherwise unspecified is similar in impacts to a specified use, in this case, ministorage. If parked at this ratio, the applicant would be required to provide 34 parking spaces.

Although the County does not regulate uses in the City, the County has more experience with regulating winery uses. Therefore, the County regulations include parking standards for wineries, which happen to be one space per 2,000 square feet for active winery and one space per 5,000 for winery storage. Staff recommends that the Planning Commission make a finding that parking ratios for this use are similar to mini-storage and allow the winery use to be parked at one space per 5,000 square feet of winery operation.

The applicant provided two site plans, one site plan to show that the site design could accommodate the required amount and the other to show the reduced amount of parking. The variation between the two plans is a total of 26 parking spaces. To obtain the required amount, the applicant would have to remove approximately four parking spaces worth of landscaping and stripe the remaining paved drive area.

Because staff has no standards for wineries, staff recommends that the installation of the additional 26 parking spaces may be postponed for three years, where at the end of the three year term, Justin Winery & Vineyard Inc. would either be required to install the parking spaces (with the necessary permits through the City) or demonstrate that the reduced parking are is consistent with the specified parking demands of the winery use, and not necessary.

Should the use of the building change in the future to other permitted PM zone uses, the site would need to comply with the required parking spaces. A condition of approval has been included in the project requiring that a Constructive Notice be recorded against the title of the property indicating to future owners/tenants that the use of the building is required to provide the specific amount of parking spaces per Ch. 21.22 of the Zoning Ordinance.

The DRC also reviewed the architecture of the buildings, which include a mixture of Century wall panels, Synergy plaster, galvanized metal trellises, and standing seam metal roofing. The DRC concluded that the proposed project is consistent with the Industrial Design Guidelines by utilizing high quality materials, orienting the building towards the predominant public view, and providing a roof design that is "in scale" with the project. The project also meets the Golden Hill Industrial Business Park Design Guidelines though locating the loading area's doors and deck in the rear of the building minimizing and screening the loading area's door and deck to pedestrians, providing a minimum of 15 gallons sized trees per every five parking stalls as well as a park way along the Wisteria Lane frontage creating a more "parklike" atmosphere.

Taking in consideration the reduction of parking as indicated by the plans submitted by the applicant, the proposed project is consistent with the requirements for development in the PM zoning district, as well as the Business Park land use designation.

The proposed project would meet the intent of the General Plan Land Use Element and Economic Strategy Plan by providing clean and attractive buildings in which all activities can be conducted indoors with limited to no outdoor storage space and encouraging agricultural support businesses showing Paso Robles sees agriculture as a viable industry.

Policy Reference:

General Plan Land Use Element, Zoning Code, Golden Hill Industrial Business Park Design Guidelines, and 2006 Economic Strategy.

**Fiscal** 

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

Development.

**Options:** After consideration of public testimony, the Planning Commission may

consider one of the following options:

a. Adopt attached Draft Resolution approving Planned Development 08-

006 with conditions of approval.

b. Amend, modify or reject the above noted options.

**Report Prepared By:** Mathew Fawcett, Assistant Planner

#### **Attachments:**

1. Vicinity Map

- 2. Applicant's Project Description/Parking Justification
- 3. Site Plan (full parking)
- 4. Site Plan (requested parking)
- 5. Draft Resolution to approve PD 08-006
- 6. City Engineer's Memo
- 7. Mail and Newspaper Affidavits

Attachment 1 Vicinity Map



Paso Robles

MAR 1 9 2008

Planning Division

March 19, 2008

City of El Paso De Robles 1000 Spring Street Paso Robles, CA 93446

Subject: Project Description for APN 025-421-061

To Whom it May Concern:

The property that we are proposing to develop is Lot 8 on Wisteria Lane. The property is 4.11 acres with 1.63 acres dedicated to open space. The proposed development is a  $\pm$  33,000 SF Winery and Wine Storage Facility. Of the Total SF,  $\pm$ 25,600 SF will be Winery and  $\pm$ 7,400 SF will be Administration. All components of wine processing will occur on site except crush.

Please contact me with any questions or concerns regarding the project.

Thank you,

Shana Reiss

Attachment 2: Project Description / Parking Justification

June 13, 2008

Pults & Associates Mr. Tim Woodle 3450 Broad Street Suite 106 San Luis Obispo, CA 93401

Dear Tim:

I wanted to address the number of employees that are scheduled to be relocated to our new warehouse in Paso Robles. We are moving our Accounting and Wine Society employees as well as a shipping clerk and two production workers. This will amount to a total of eight workers.

There will not be a need to receive any visitors with the exception of an occasional vendor visit. We will have a guest office for when the Baldwin's visit the facility.

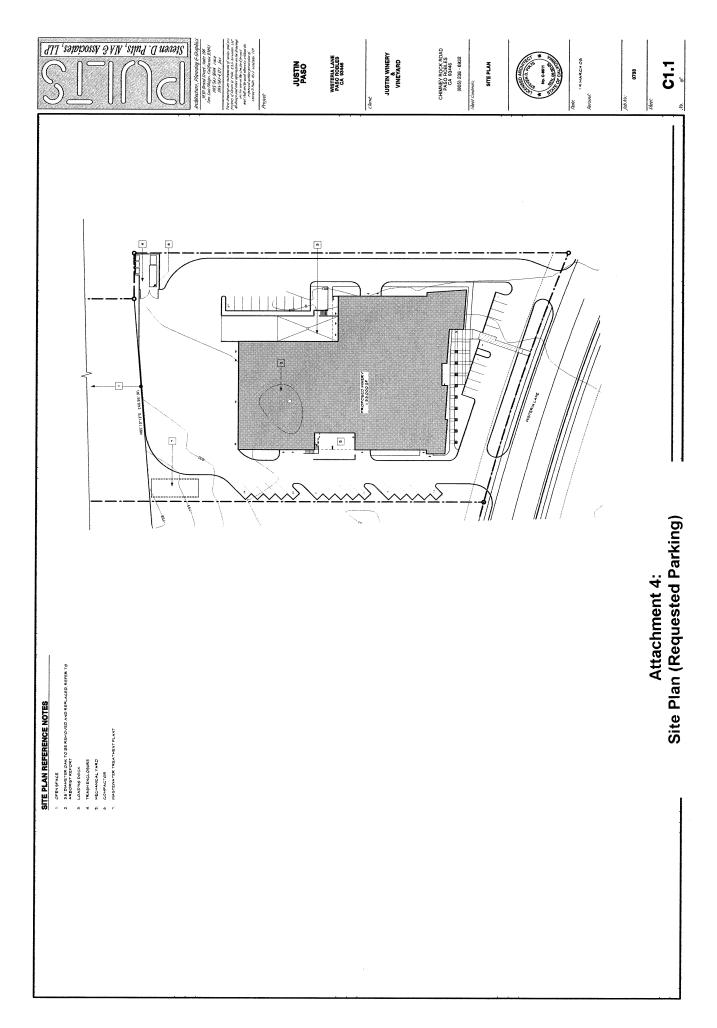
There are approximately four additional offices/work stations to allow for possible future new employees should that occur over the next several years.

As you can see, parking requirements are very minimal. If you need additional information, please feel free to contact me.

Sincerely,

JUSTIN Vineyards & Winery, Inc.

Cheryl Wieczorek Chief Financial Officer



RESOLUTION NO: 08-\_\_\_\_

# A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES APPROVING PLANNED DEVELOPMENT 08-006 LOT 8 ON WISTERIA LANE (JUSTIN VINEYARD & WINERY, INC.) APN: 025-421-061

**WHEREAS,** Planned Development 08-006 has been submitted by Steven Pults on behalf of Justin Vineyard & Winery, Inc., requesting to construct a  $\pm 33,000$  square foot winery/storage building; and

WHEREAS, the project is located at Lot 8 on Wisteria Lane; and

**WHEREAS,** Section 21.23B.030(5a), of the Zoning Code require constructing buildings that total over 10,000 square feet go through the development plan (PD) review process; and

**WHEREAS**, according to Section 21.22.040 of the Zoning Code the project would require 62 off-street parking spaces parked at one space per 500 square feet of manufacturing, one space per 1,000 square feet of storage, and one space per 200 square feet of offices; and

**WHEREAS,** according to Section 21.22.050 of the Zoning Code empowers the Planning Commission to determine what constitutes a similar use in terms of traffic generating for uses not specifically mentioned (i.e. wineries) in Section 21.22.040; and

**WHEREAS**, the operations of winery require minimal staff compared to other manufacturing uses, the applicants are requesting that the Planning Commission allow the winery square footage be parked at one space per 5,000 square feet allowing for the postponement of 26 parking spaces for three years; and

**WHEREAS,** after three years the parking shall either be installed by the Justin Vineyard Winery, Inc., or it shall go before the Planning Commission for a determination of whether the 26 additional parking spaces are required; and

**WHEREAS**, the project is Exempt (Class 32) from environmental review of the California Environmental Quality Act (CEQA) per section 15332 In-Fill Development Projects; and

**WHEREAS**, a public hearing was conducted by the City Council on May 20<sup>th</sup>, 2008 to consider Oak Tree Removal 08-004, and approved removal of one oak tree centrally located on the subject lot; and

**WHEREAS,** a public hearing was conducted by the Planning Commission on June 24, 2008 to consider facts as presented in the staff report prepared for this Planned Development request and to accept public testimony regarding the project; and

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

- 1. The project is consistent with the adopted codes, policies, standards and plans of the City; and
- 2. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and
- 3. The proposed development plan accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors; and the public right-of-way; and
- 4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts; and
- 5. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc.; and
- 6. The proposed development plan contributes to the orderly development of the City as a whole.
- 7. The proposed development plan as conditioned would meet the intent of the General Plan and Zoning Ordinance by providing the opportunity for clean attractive business to be located in the Business Park/Planned Industrial designated areas of the City.
- 8. That acknowledging a winery requires less staff than does the average manufacturing use, the Planning Commission would allow the winery to be parked at one space per 5,000 square feet allowing for deferral of 26 parking spaces for three years (while retaining space for the spaces).

**NOW, THEREFORE, BE IT RESOLVED,** that the Planning Commission of the City of El Paso de Robles does hereby Planned Development 08-006, subject to the following condition:

#### STANDARD CONDITIONS:

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

#### SITE SPECIFIC CONDITIONS:

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

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

## A Standard Conditions

- A Standard Condition
  B Site Plan
  C Floor Plans
  D Roof Plan
  E Elevations
  F Landscape Plan
- 3. This PD 08-006 allows for development of a ±33,000 square foot winery/storage building with ancillary parking and landscaping. A constructive notice shall be recorded with language acceptable to the Community Development department requiring any new use to comply with Ch. 21.22.050 of the Zoning Code, as well as a one time review by the Planning Commission within three years to determine whether or not the additional 26 parking spaces are needed.
- 4. The intent of this project is to provide for winery/storage use. If in the future, a different type of use is proposed, the use shall comply with Table 21.16.200, Permitted Land Uses for All Zoning Districts and Chapter 21.22 Off Street Parking and Loading Regulations. Some uses may require the need for a Conditional Use Permit, and the need to provide additional parking.
- 5. Prior to issuance of building permits the applicant shall submit a bond for the construction of the spaces at the end of three years acceptable to the City Engineer for the additional parking.
- 6. Prior to issuance of building permits the applicant shall provide nine, one-half inch Blue oaks on landscape plan or pay the appropriate mitigation fees per City Council Resolution 08-075.
- 7. Prior to the issuance of a building permit for the main building the following final details shall be submitted for Planning Division Staff review:
  - a. Final site plan and architectural elevations;
  - b. Exterior light fixtures;
  - c. Final colors/materials;
  - d. Detailed landscape plan including transformer, backflow and other equipment screening;
  - f. Fencing Plan
- 8. The sprinkler backflow valve shall be located in an underground vault or adequately screened from public view on Wisteria Lane with architectural features and vegetation that is dense and high enough to conceal it.
- 9. Any roof mounted equipment shall be fully screened. The building parapet may need to be raised in order to accomplish full screening. Prior to the issuance of a building permit, architectural elevations along with building cross sections shall be submitted to the DRC showing how roof screening will be accomplished.
- 10. 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.

- 11. Provide fire sprinkler systems for buildings greater than 5,000 square feet.
- 12. Prior to the start of construction, documentation shall be submitted to Emergency Services showing that required fire flows can be provided to meet all project demands.
- 13. The project shall be in compliance the following recommendations of the San Luis Obispo County Air Pollution Control District so as to minimize creation of fugitive dust and other emission resulting from use of construction equipment as follows:

#### **CONSTRUCTION PHASE:**

#### **Dust Control Measures**

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

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

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

#### Naturally Occurring Asbestos

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

#### **Permits**

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Portable equipment used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or a District permit. Operational sources, such as back up generators, may also require APCD permits. To minimize potential delays, prior to the start of the project, please contact

David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

PASSED AND ADOPTED THIS 24th day of Ju	une 2008 by the following roll call vote:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	ED STEINBECK, CHAIRMAN
ATTEST:	
RON WHISENAND, PLANNING COMMISSI	ON SECRETARY

#### **EXHBIT A OF RESOLUTION**

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

PROJECT #:	PD 08-006
APPROVING BODY:	PLANNING COMMISSION
DATE OF APPROVAL:	June 24, 2008
APPLICANT:	Justin Vineyard & Winery, Inc.
LOCATION:	Lot 8 off Wisteria Lane (025-421-061)

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 June 24, 2010 (See Planned Development Approval Resolution) unless a time extension request is filed with the Community Development Department prior to expiration.
- Z. 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.
- 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 00-000)

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 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.
- 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.
- 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.
- 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.
- 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.

$\boxtimes$	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:
		<u> </u>
	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.
В.		FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ANCE OF BUILDING PERMITS:
$\boxtimes$	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.

 $\boxtimes$ 2. Prior to the issuance of building permits, the Development Review Committee shall approve the following: Planning Division Staff shall approve the following:  $\boxtimes$ A detailed site plan indicating the location of all structures,  $\boxtimes$ a. parking layout, outdoor storage areas, lighting, walls, fences and trash enclosures; A detailed landscape plan;  $\boxtimes$ b. Detailed building elevations of all structures indicating  $\boxtimes$ c. materials, colors, and architectural treatments; Other: See PD 07-013 Resolution for specific Planning  $\boxtimes$ d. Division Staff review requirements. 3. The applicant shall meet with the City's Crime Prevention Officer prior to the issuance of building permits for recommendations on security measures to be incorporated into the design of the structures to be constructed. The applicant is encouraged to contact the Police Department at (805) 237-6464 prior to plan check submittal. C. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO **OCCUPANCY:** Occupancy of the facility shall not commence until such time as all Uniform 1.  $\boxtimes$ 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.

\*

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

APPLI	CANT:	Justin Vineyard & Winery, Inc. PREPARED BY: JF	
REPRI	ESENT	ATIVE: CHECKED BY:	
PROJE	ECT:	PD 08-006 TO PLANNING:	
All cor	nditions	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.	PRIO	R 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:		
		Street Name Cit	y Standard	Standard Drawing No.
	7.	The owner shall offer to dedicate and alignment of the easement(s) City Engineer:	•	. ,

		<ul> <li>□ a. Public Utilities Easement;</li> <li>□ b. Water Line Easement;</li> <li>□ c. Sewer Facilities Easement;</li> <li>□ d. Landscape Easement;</li> <li>□ e. Storm Drain Easement.</li> </ul>	
G.	PRIO	R 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:	
		<ul> <li>□ a. Street lights;</li> <li>□ b. Parkway and open space landscaping;</li> <li>□ c. Wall maintenance in conjunction with landscaping;</li> <li>□ d. Graffiti abatement;</li> <li>□ e. Maintenance of open space areas.</li> </ul>	
	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.
Н.	PRIO	R TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:
$\boxtimes$	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.
$\boxtimes$	3.	All final property corners and street monuments shall be installed before acceptance of the public improvements.
	4.	All top soil removed shall be stockpiled and evenly distributed over the slopes and lots upon completion of rough grading to support hydroseeding and landscaping. All slope areas shall be protected against erosion by hydroseeding or landscaping.
	5.	The applicant shall install all street names, traffic signs and traffic striping as directed by the City Engineer.
	6.	If the adjoining existing City street is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall remove the entire roadway and replace it with a minimum full half-width street plus a 12' wide travel lane and 8' wide graded shoulder adequate to provide for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).
	7.	If the development includes a phased street construction along the project boundary for future completion by the adjacent property owner, the applicant shall provide a minimum half-width street plus a 12' wide travel lane and 4' wide graded shoulder adequate for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).
	8.	When the project fronts on an existing street, the applicant shall pave-out from the proposed curb to the edge of pavement if the existing pavement section is adequate, and shall feather the new paving out to the centerline for a smooth transition. If the existing pavement is inadequate, the roadway shall be replaced to centerline and the remaining pavement shall be overlaid. (A finding of "rough proportionality" has

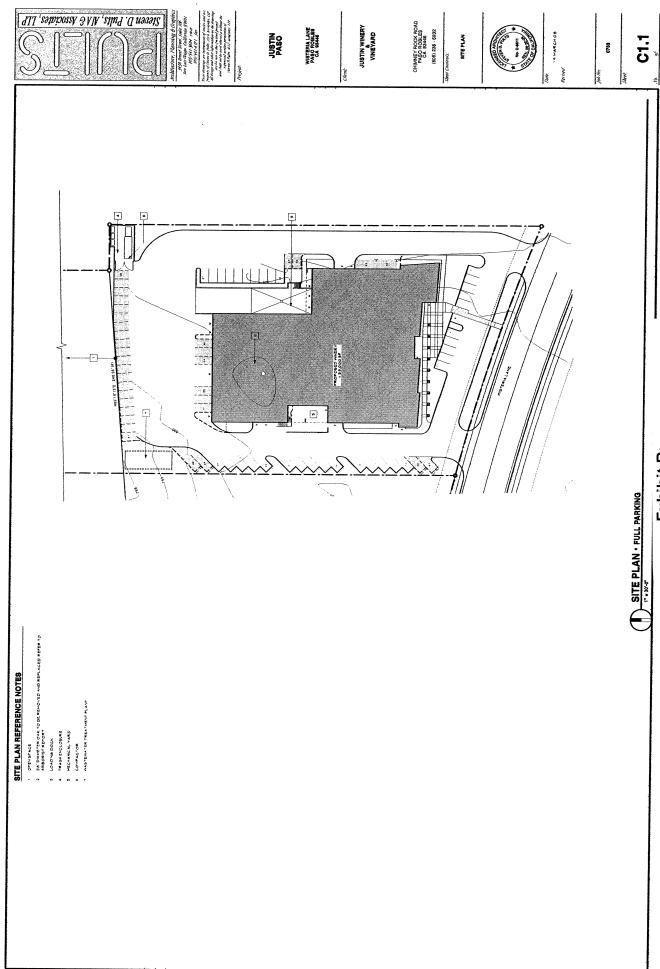
been made in the resolution for this condition).

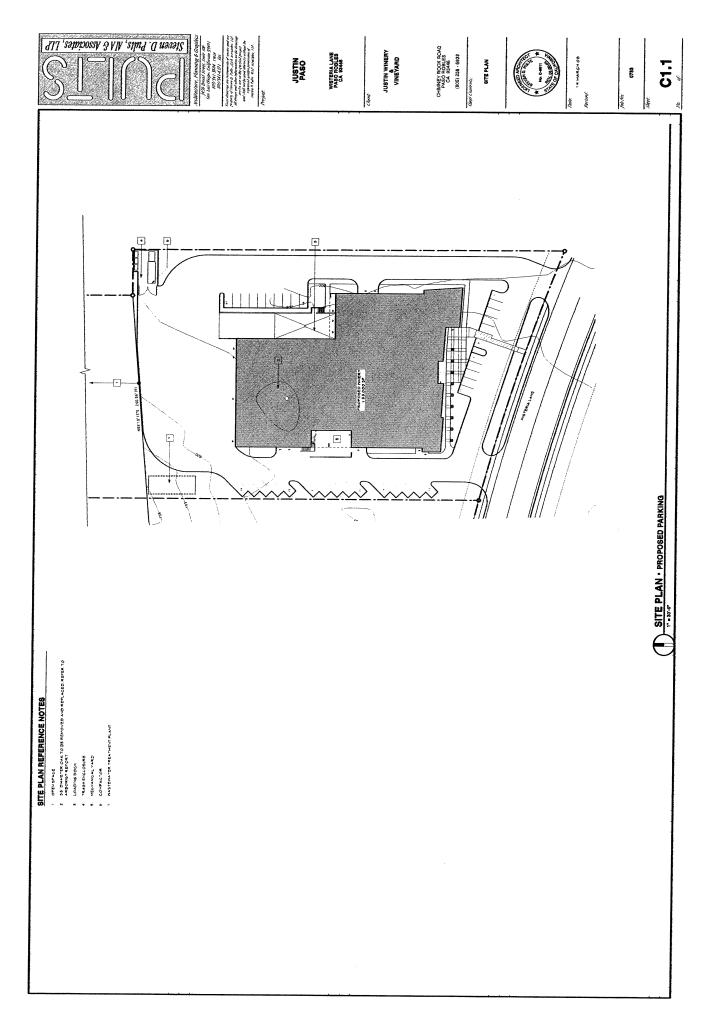
	9.	Any utility trenching in existing streets shall be overlaid to restore a smooth riding surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City streets.
	10.	The applicant shall install all utilities (sewer, water, gas, electricity, cable TV and telephone) underground (as shown on the composite utility plan). Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project. All underground construction shall be completed and approved by the public utility companies, and the subgrade shall be scarified and compacted, before paving the streets.
	11.	Prior to paving any street the water and sewer systems shall successfully pass a pressure test. The sewer system shall also be tested by a means of a mandrel and video inspection with a copy of the video tape provided to the City. No paving shall occur until the City has reviewed and viewed the sewer video tape and has determined that the sewerline is acceptable. Any repair costs to the pipeline including trench paving restoration shall be at the developer's expense.
	12.	A blackline clear Mylar (0.4 MIL) copy and a blueline print of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. A reduced copy (i.e. $1'' = 100'$ ) of the composite utility plan shall be provided to update the City's Atlas Map.
	13.	All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.
****	*****	**********************

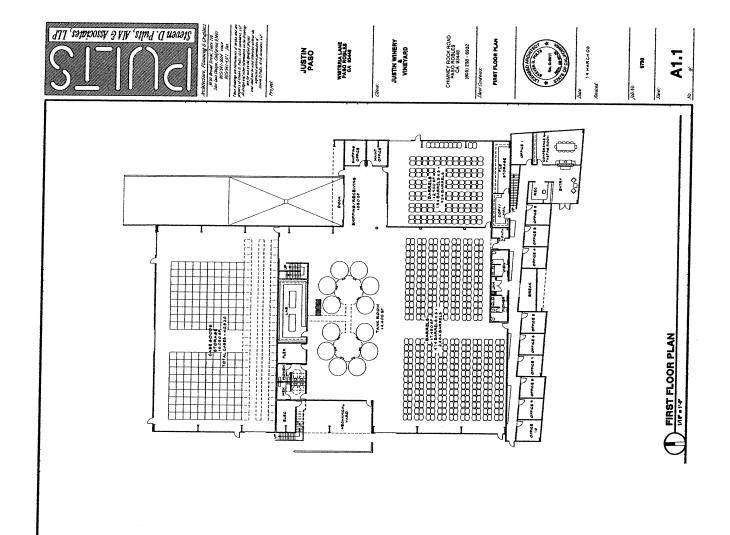
PASO ROBLES FIRE DEPARTMENT - The applicant shall contact the Fire Department, (805) 237-3973, for compliance with the following conditions:

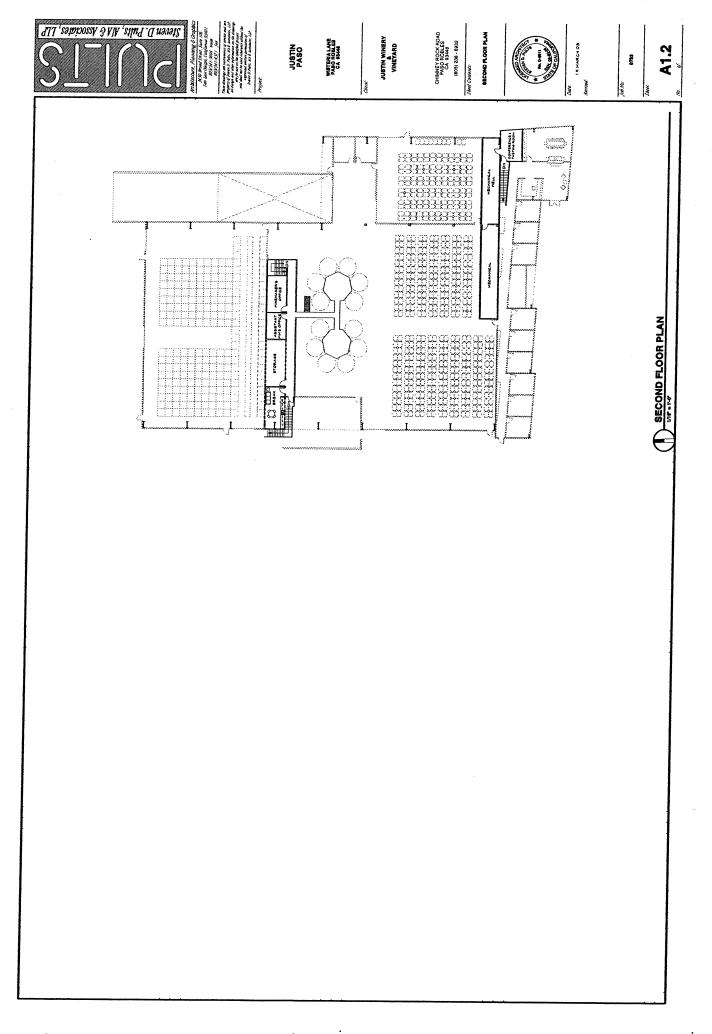
#### I. GENERAL CONDITIONS

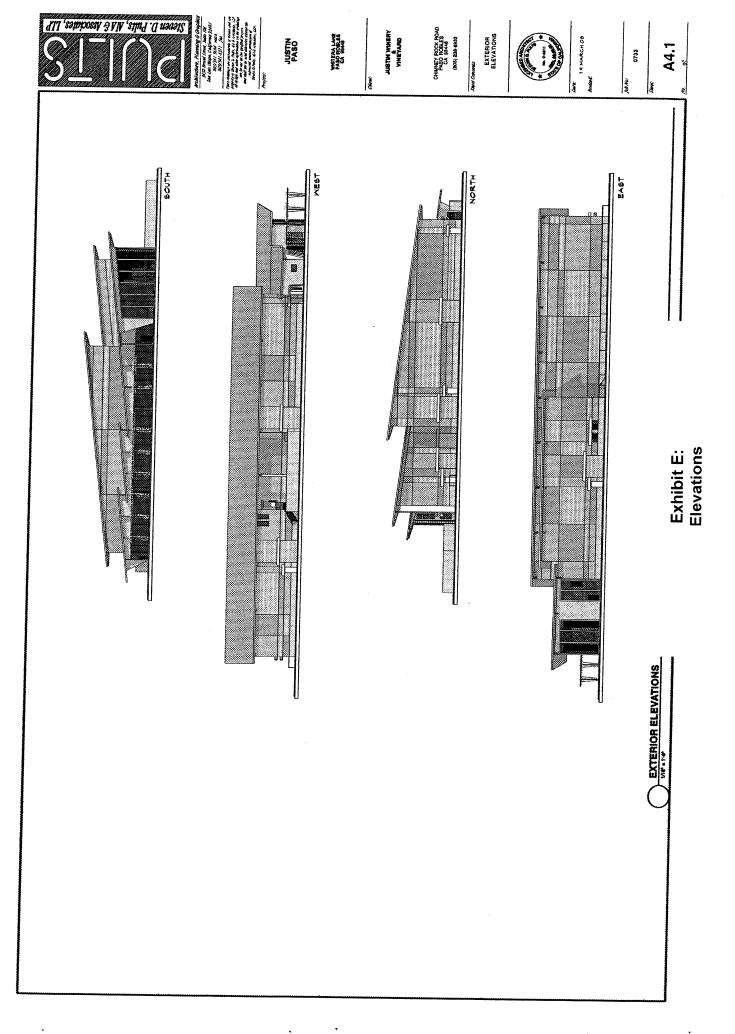
Fire hydrants shall be installed at intervals as required by the Fire Chief and City Engineer. The maximum spacing for single family residential shall be 500 feet. The maximum spacing for multi-family and commercial/residential shall be 300 feet. On-site hydrants shall be placed as required by the Fire Chief.
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.
No building shall be occupied until all improvements are completed and accepted by the City for maintenance.
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.
All open space areas to be dedicated to the City shall be inspected by Emergency Services 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 the areas to be recorded as open space prior to acceptance into a Benefit Maintenance District.
Any open space included in a private development shall be subject to the approval of a vegetation management plan approved by the Fire Chief.
Each tract shall provide two sources of water and two points of access unless otherwise determined by the Fire Chief and Public Works Director.
Provisions shall be made to update Emergency Service's Run Book.

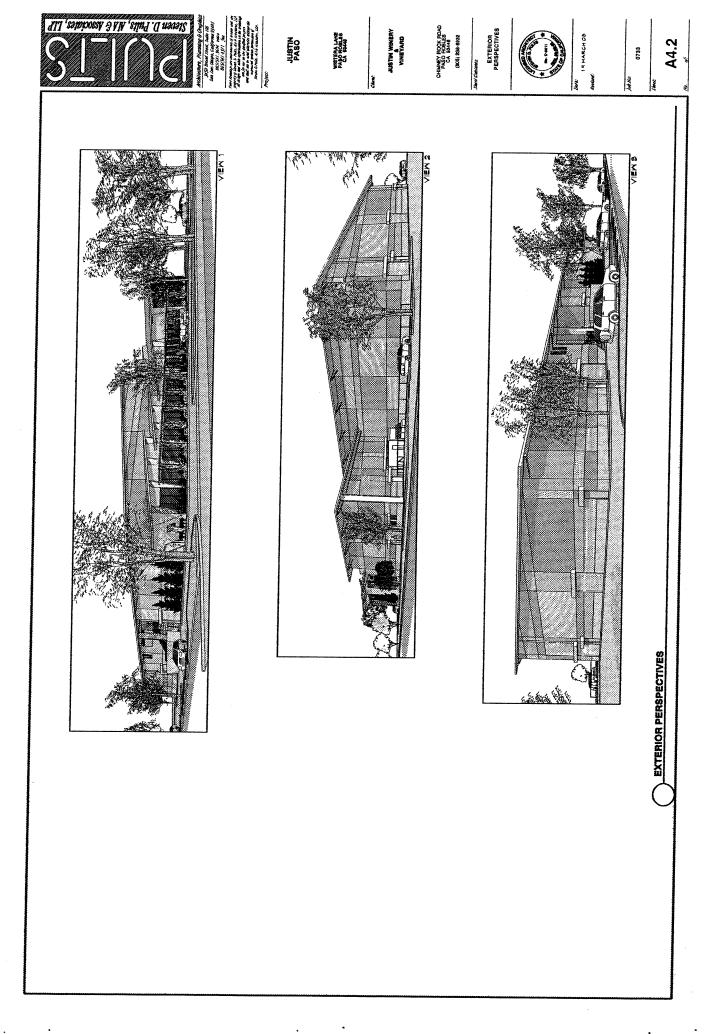


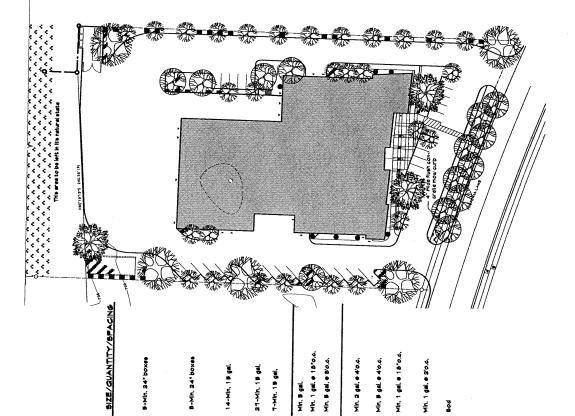












8-Min. 24" boxes

Cork oak

Quercus suber

14-Min. 18 gal.

Chinese pistache

Fistacia chinensis

27-Min. 15 gal. 7-Min. 18 gal,

White Hib. Grape myrtle

Lageratroemia x F. Natcher

Italian cypress White wisteria

5-Min. 24" boxes

Coast IIve oak

Quercus agrifolia

COMMON NAME

PLANTING LUGHNU

Min. 1 gal. e 18"0.c.

Daylily

Hemerocallie - evergreen red and orange mixed.

Min. 1 gal. e 2'0.c.

English lavender

Lavandula angustifolia

Fescue biend

Turf - sod

Min. 8 gal. 6 4'0.6. Min. 2 gai. • 4'0.c.

Rosmarinus o. 'Collingwood ing.' Rosemary

White Meidliand rose

Ross Meldiland - White

Min. 8 gal. 6 8'0.6.

Pacific wax myrtle

Boxwood

Buxus M. J. Green Beauty Misteria sinensis - Milte Cupressus sempervirens

SHRUBS . VINES

Myrica californica

GROUND COVERS

Min. 55 gal.

Landscape Plan Exhibit F:

PLANTING PLAN

#### **MEMORANDUM**

TO:

**Mathew Fawcett** 

FROM:

John Falkenstien

SUBJECT:

PD 08-006, Justin

DATE:

June 10, 2008

#### Streets

The subject property is Lot 8 of Tract 2778-1 on Wisteria Lane in Erskine's Golden Hill Industrial Park. Wisteria Lane has been improved in accordance with City standards and approved plans for Tract 2778-1.

#### Sewer and Water

Sewer is available to the property from an 8-inch sewer line in Wisteria Lane. Water is available to the property from a 10-inch water main in Wisteria Lane. Fire hydrants are spaced in accordance with City standards.

#### **Drainage**

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 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**

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.

Attachment 6: City Engineer's Memo

#### PROOF OF PUBLICATION

#### LEGAL NEWSPAPER NOTICES

## PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

Newspaper:	Tribune		
Date of Publication:	June 11, 2008		
Hearing Date:	June 24, 2008		
Project:	Planned Development 08-006 (Justin Winery – Lot 8, Wisteria Lane)		
I, <u>Lonnie Dolan</u>	, 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 publisl	ned legal newspaper notice for the		
above named project.			
Signed: X			

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider a request by Steven Pults on behalf of Justin Vineyard & Winery, Inc., for Planned Development 08-006, a project proposing to construct a 33,000 square foot winery/storage building. The project is located on lot 8 along Wisteria Lane (APN: 025-421-061).

This hearing will take place in the City Hall/ Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, June 24, 2008, at which time all interested parties may appear and be heard.

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

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

Mathew Fawcett, Assistant Planner une 11, 2008 6734156

forms\newsaffi.691

Lonnie Dolan

Attachment 7: Affidavits

#### **AFFIDAVIT**

### **OF MAIL NOTICES**

## PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, <u>Mathew Fawcett</u>, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for a <u>Planned Development 08-006 (Justin Vineyard @ Winery, Inc. – Lot 8 off Wisteria Lane)</u> on this <u>10th</u> day of <u>June 2008.</u>

City of El Paso de Robles Community Development Department Planning Division

Signed:

Mathew Fawcett

forms\mailaffi.691