

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PLANNED DEVELOPMENT 06-025 AND CONDITIONAL USE PERMIT 06-013 AMENDMENT; GOLDEN HILL ROAD AND HWY 46 (APN 025-391-037, 038, 039, 063 AND 067) APPLICANT – REGENCY CENTERS

DATE: AUGUST 12, 2008

Needs: For the Planning Commission to consider a request to Amend the Conditions of Approval for Planned Development 06-025 and Conditional Use Permit 06-013.

Facts:

1. The project site is an undeveloped 25.08-acre parcel located northeast of Highway 46 at Golden Hill Road (See Attachment 1, Vicinity Map). The applicant was approved to build a shopping center complex (approximately 300,000 s.f.).
2. This project was approved by the Planning Commission in September 2007.
3. The applicant has been processing building and site improvement plans for this project for several months, and are anticipating beginning site grading soon.
4. The applicant has requested modifications to some of the previously approved Conditions of Approval for this project. The modification requests are described below.
5. None of the requested modifications to the conditions would change the environmental mitigation requirements previously approved or the environmental analysis, therefore, this request to modify certain Conditions of Approval are not subject to environmental analysis under the California Environmental Quality Act (CEQA).

**Analysis
and**

Conclusions: The entitlements approved for this project includes numerous Conditions of Approval, City Standards, and environmental mitigation measures. Since project approval last September, the applicant has been diligently moving forward on implementing and complying with many of the conditions that apply to this project. These include final review by the Development Review Committee (DRC) of the site and landscaping plans, design guidelines, and several of the final building elevations.

The applicant has identified certain conditions that do not appear to be necessary and they are requesting consideration to eliminate them. Staff has worked with the applicant to determine conditions that are appropriate to modify. One

condition in particular is the request to eliminate the requirement that the applicant and the City enter into a Development Agreement to help negotiate specific traffic impact fees. The applicant and the City do not feel that a formal Development Agreement is necessary to address traffic impacts and associated fee. Staff has identified the specific conditions requested to be modified and has provided them in legislative format (underlining new text and crossing out deleted text), as well as the proposed revised language. Only two conditions are proposed to be modified (Nos. 35 and 39) and three are proposed to be deleted. (Nos. 51, 52 and 53). All other conditions shall remain the same.

Condition 35

Prior to occupancy of the first building Dense landscaping shall be provided within the 30 foot wide landscape buffer along Highway 46 in accordance with plans approved by the Development Review Committee. ~~The Dense landscaping shall be integrated with the retaining wall along the western project boundary. Landscaping for these areas shall be approved the Development Review Committee prior to issuance of building permits.~~

Modification to condition #35 specifies that the landscaping needs to be installed “in accordance with” the plans approved by the Development Review Committee.

Condition #39

Traffic Impacts: Prior to occupancy of the first building:

~~The applicant shall address impacts resulting from this development project by constructing several road improvements adjacent to the site and other off-site improvements, and by participating other off-site transportation studies. The specific fees required to be paid by the applicant shall be determined on a fair-share/pro-rata basis, and negotiated through a Development Agreement between the applicant and the City Council. The Development Agreement shall stipulate the applicant’s level of participation on impact mitigations and specific fees, including the timing of improvements and timing of payment of fees. The Development Agreement shall be prepared in a form acceptable to the City Attorney, and shall be approved by the City Council.~~

~~No issuance of grading or building permits for on- or off-site improvements shall occur until the City Council approves a Development Agreement for this project. At a minimum, the Development Agreement shall stipulate that the applicant shall be required to comply with the following requirements:~~

- ~~• Prior to occupaney of the project, Dallons Drive shall be improved with curb, gutter, sidewalk and pavement widening adequate to accommodate a continuous center turn lane and bike path along both sides in accordance with plans approved by the City Engineer. ~~the property frontage of the~~~~

~~subject property.~~ The plans will include the provision of a bus turn-out and canopy adjacent to the project.

- A traffic signal shall also be installed at the project entrance on Golden Hill Road in accordance with plans approved by the City Engineer.
- ~~Prior to occupancy of the project, Golden Hill Road shall be improved from Highway 46E to Dallons Drive in accordance with plans approved by the City Engineer.~~
- ~~Prior to issuance of a building permit, the applicant will be required to participate in the Project Study Report and the improvement of Airport Road Highway 46E intersection.~~
- Traffic calming measures shall be constructed on Dallons Drive through the adjacent residential neighborhood (the boundaries of Tract 2005). Traffic calming measures will typically include modified lane striping.
- Golden Hill Road shall be improved from Highway 46E to Dallons Drive in accordance with plans approved by the City Engineer. A traffic signal shall be installed at the project entrance in accordance with plans approved by the City Engineer.
- The intersection of Golden Hill Road and Highway 46E shall be improved in accordance with the schematic plans provided with the application and in accordance with plans approved by Caltrans and the City Engineer. Existing overhead utilities in the intersection shall be relocated underground.
- The applicant shall provide to the City \$250,000 for the preparation of a Project Study Report of interchange and traffic signal options at the intersection of Union Road and Highway 46E.
- The applicant shall offer to dedicate 30-feet as public right-of-way along the Highway 46E frontage of the property.

The applicant has requested modification to this condition to eliminate reference to the requirement for a Development Agreement. Additionally, staff has refined the condition to provide more specificity on the specific mitigation projects.

The following conditions are proposed for deletion since they will be superseded by existing or revised conditions:

Existing Condition #51: Prior to occupancy of the project, traffic calming measures shall be placed, and/or constructed on Dallons Drive west of the project site to mitigate the impacts of increased traffic volumes on the adjacent residential neighborhood.

- Is superseded by Condition #39.

Existing Condition #52: Prior to occupancy of the project, the intersection of Golden Hill Road and Highway 46E shall be improved in accordance with the schematic plans provided with the application and in accordance with plans approved by Caltrans and the City Engineer. Existing overhead utilities in the intersection shall be relocated underground.

- Is superseded by Condition #39.

Existing Condition #53: Prior to occupancy of the project, the applicant will be required to pay the project's fair share of cost for improvements to the intersection of State Highways 101 and 46E.

- Is superseded by Condition #6, since this improvement is included in the City's Development Impact Fee schedule. (#6 states, "Prior to issuance of certificates of use and occupancy, the property-owner or authorized agent is required to pay the City's Development Impact Fees.")

No other changes to the approved Conditions of Approval for this project are recommended for modification. Staff received a phone call and correspondence (attached) from a couple of residents located near the project site. They expressed concern regarding air pollution that may result from delivery trucks and truck traffic that may travel west on Dallons Drive toward Buena Vista Road. The conditions proposed for modification are not related to these two issues. Staff is not recommending modifications to the site plan or Conditions of Approval for this project relative to these issues.

Reference: Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance, Airport Land Use Plan, 2006 Economic Strategy.

Fiscal

Impact: No direct fiscal impact.

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

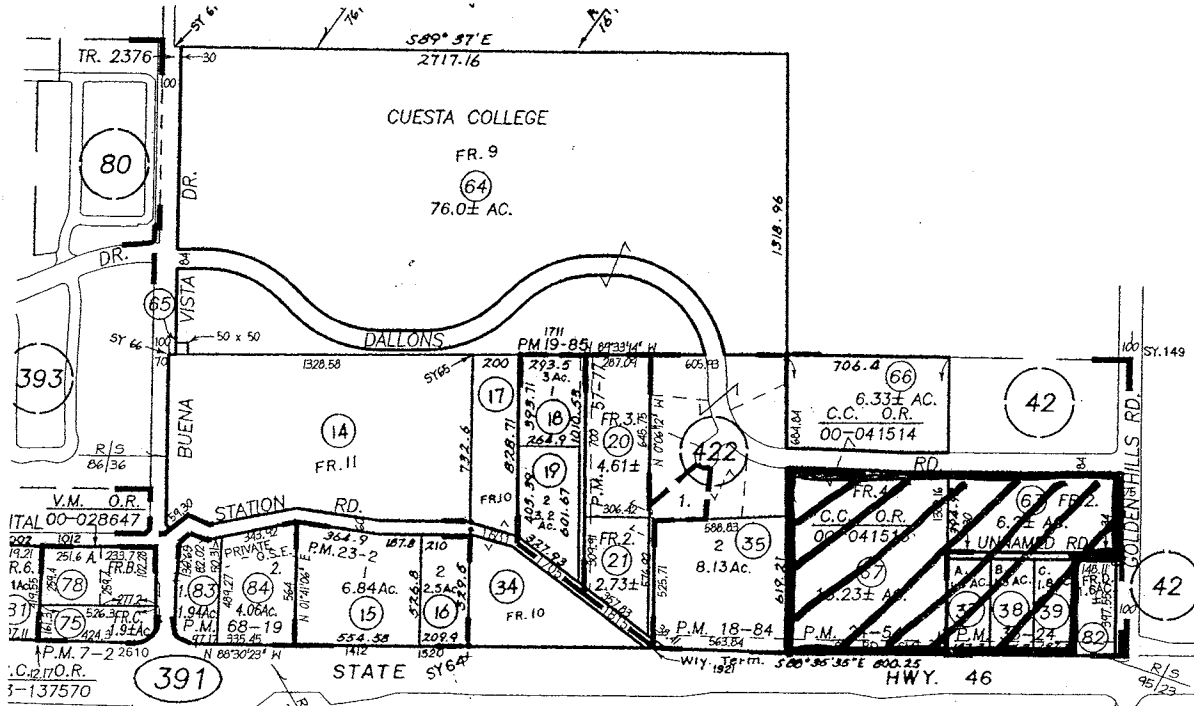
1. Adopt the attached resolution approving PD 06-025 and CUP 06-013 Amendment;
2. Amend, modify, or reject the above-listed action.

Staff Report Prepared By: Susan DeCarli

Attachments:

1. Vicinity Map
2. Resolution to Approve Amendments
3. Correspondence
4. Newspaper and Mail Notice Affidavits

Attachment 1
Vicinity Map



Project Location

40

RESOLUTION NO.

**A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
APPROVING CERTAIN MODIFICATIONS TO THE CONDITIONS OF APPROVAL FOR
PLANNED DEVELOPMENT 06-025 AND CONDITIONAL USE PERMIT 06-013
FOR PROPERTY LOCATED ON GOLDEN HILL ROAD BETWEEN DALLONS ROAD
AND HIGHWAY 46 EAST; APNs : 025-391-037, -033, -039, -063 and -067
APPLICANTS – REGENCY CENTERS**

WHEREAS, the Planning Commission previously approved on September 5, 2008 the development of a regional shopping center on vacant property (25.08-acres in area), located on Golden Hill Road between Dallons Road and Highway 46 East, with approximately 300,000 square feet of commercial retail and restaurant buildings; and

WHEREAS, the applicant, Regency Centers, has requested that certain Conditions of Approval ("Conditions") for Planned Development 06-025 and Conditional Use Permit 06-013 be modified, specifically to amend Conditions 35 and 39, and to delete Conditions 51, 52 and 53; and

WHEREAS, the proposed modifications to the above Conditions will not affect the mitigation measures for this project and the requested changes are in conformance with the California Environmental Quality Act; and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 12, 2008 on this project to accept public testimony on the proposed modifications to certain Conditions for Planned Development 06-025 and Conditional Use Permit 06-013 l; 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. As conditioned, the design and intensity/density of the proposed development plan is consistent with the adopted codes, policies, standards and plans of the City, specifically the Zoning Ordinance and General Plan; and
2. As conditioned, 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 project is consistent with and supports implementation of the 2006 Economic Strategy by providing regional and local retail opportunities within the City of Paso Robles.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve amendments to Conditions to Planned Development 06-025 and Conditional Use Permit 06-013 to amend Conditions 35 and 39, and to delete Conditions 51, 52 and 53. The Conditions, as amended, are stated in full below.

STANDARD CONDITIONS:

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

SITE SPECIFIC CONDITIONS:

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

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	Site Plan and Elevations

3. This is an application for:
 - Major 1- Home Improvement and Garden Center 169,112 sq. ft.
 - Major 2- Retail 27,000 sq. ft.
 - Major 3- Retail 20,000 sq. ft.
 - Major 4- Retail 20,000 sq. ft.
 - Shop A- Retail 9,000 sq. ft.
 - Shop B- Retail 10,090 sq. ft.
 - Shop C- Retail 11,800 sq. ft.
 - Pad 1- Drive Thru Restaurant 3,500 sq. ft.
 - Pad 2- Drive Thru Restaurant 3,500 sq. ft.

- Pad 3- Drive Thru Restaurant 3,500 sq. ft.
 - Pad 4- Sit-down Restaurant 6,000 sq. ft.
 - Pad 5- Retail 6,000 sq. ft.
 - Highway Oriented Monument Sign, 30 ft. height
4. The project shall be designed and constructed to be in substantial conformance with the site plan, landscape plan, grading plan and elevations approved with this resolution.
 5. Approval of this project is valid for a period of two (2) years from date of approval. Unless permits have been issued and site work has begun, the approval of PD 06-025 and CUP 06-013 shall expire on August 28, 2010. The Planning Commission may extend this expiration date for an additional three (3) years if a time extension application has been filed with the City along with the fees before the expiration date.
 6. Prior to issuance of certificates of use and occupancy, the property-owner or authorized agent is required to pay the City's Development Impact Fees.
 7. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
 8. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
 9. Temporary construction noise levels in excess of 60 decibels shall be restricted to the daylight hours of 7am to 6pm. Noise levels shall be measured or monitored from site boundaries or the nearest adjoining residential use to determine compliance.
 10. Use and operation of the project and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).
 11. Prior to grading permit, the applicant shall provide plans for the treatment of storm water leaving the site subject to approval by the City Engineer.
 12. Tree protection measures shall be incorporated into the project site design and construction in the critical root zone shall be employed for any construction including paving or hardscape work near the oak tree adjacent to Highway 46 as specified in the project Arborist Report.
 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 emissions resulting from this project (see conditions 14 through 23).
 14. During construction, the applicant shall implement the following Best Available Control Technology for diesel-fueled construction equipment, where feasible:
 - a. All construction equipment shall be properly maintained and tuned according to manufacturer's specifications.

- b. All off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generators, compressors, auxiliary power units, shall be fueled exclusively with CARB motor vehicle diesel fuel.
15. Prior to construction, a Dust Control Plan shall be prepared and approved by the APCD prior to commencement of construction activities. The Dust Control Plan shall include the following:
- a. Important elements of this plan would be detailed dust mitigation measures and provisions for monitoring for dust and construction debris during construction.
 - b. The contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering or other measures as necessary to prevent transport of dust off-site. Their duties should include holiday and weekend periods when work may not be in progress.
 - c. The name and telephone number of such persons shall be provided to the APCD and adjacent residents prior to construction commencement.
 - d. Compliant handling procedures shall be identified.
 - e. A daily dust observation log shall be filled out as necessary.
16. During construction, the following measures shall be implemented to reduce PM10 emissions during earth moving activities:
- 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. 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.
 - e. 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.
 - f. 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.
 - g. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - h. All trucks hauling dirt, sand, or other loose materials are to be covered or should maintain at least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114. This measure has the potential to reduce PM10 emissions by 7-14%.
 - i. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. This measure has the potential to reduce PM10 emissions by 40-70%.
 - j. 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 when feasible. This measure has the potential to reduce PM10 emissions by 25- 60%.
 - k. Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing activities.

17. Portable equipment, 50 horsepower or greater, used during construction activities will require California statewide portable equipment registration (CARB) 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.

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

18. Prior to construction, the following measures are required in order to remain in compliance with the APCD:

- a. The applicant must obtain a compliance review with the APCD prior to the initiation of any construction activities.
- b. A list of all heavy-duty construction equipment operating at the site must be provided to the APCD. The list shall include the make, model, engine size, and year of each piece of equipment. This compliance review will identify all equipment and operations requiring permits and will assist in the identification of suitable equipment for the catalyzed diesel particulate filter.
- c. Maintain all construction equipment in proper tune according to manufacturer's specifications.
- d. Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- e. Maximize, to the extent feasible, the use of diesel construction equipment meeting ARB's 1996 and newer certification standard for off-road heavy duty diesel engines.
- f. All on and off-road diesel equipment shall not be allowed to idle for more than 5 minutes. Signs shall be posted in the designated queuing areas to remind drivers and operators of the 5 minute idling limit.
- g. The applicant must apply for an Authority to Construct from the APCD where necessary.

19. Develop a comprehensive Construction Activity Management Plan designed to minimize the amount of large construction equipment operating during any given time period. The plan shall be submitted to the District for review and approval prior to the start of construction. The plans should include but not be limited to the following elements;

- Schedule construction trucks trips during non-peak hours to reduce peak hour emissions;
- Limit the length of the construction work-day period, if necessary; and
- Phase construction activities, if appropriate.

20. During construction, monthly compliance checks throughout the construction phase are required to verify that all equipment and operations continue to comply with the APCD requirements.

21. During and post construction, the following mitigation measures shall be implemented to reduce area source emissions, where applicable.
 - a. Increase walls and attic insulation by 10% above what is required by Title 24.
 - b. Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
 - c. Shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
 - d. Use built-in energy efficient appliances, where applicable.
 - e. Orient buildings toward streets with convenient pedestrian and transit access.
 - f. Use double-paned windows.
 - g. Use low-energy parking lot and streetlights. (e.g. sodium)
 - h. Use energy efficient interior lighting.
 - i. Incorporate energy efficient skylights into roof plan (i.e. should meet the EPA/DOE Energy Star® rating).
 - j. Install High efficiency or gas space heating.
 - k. Install door sweeps and weather stripping if more efficient doors and windows are not available.

22. During and post construction, the following mitigation measures shall be implemented to reduce vehicle emissions, where applicable. Implementation of one or more of the following options, negotiated with the APCD and subject to final approval by the City of El Paso de Robles:
 - a. A Flash Pass program for employees using public transit,
 - b. Install or contribute to funding alternative fueling infrastructure (i.e. fueling stations for CNG, LPG, biodiesel, conductive and inductive electric vehicle charging, etc.)
 - c. Fund a program to buy and scrap older, higher emission passenger and heavy duty vehicles.
 - d. Replace/repower heavy-duty diesel school vehicles (i.e. bus, passenger, or maintenance vehicles).
 - e. Purchase particulate filters or oxidation catalysts for local school buses, transit fleets.
 - f. Provide assistance in the implementation of projects that are identified in City or County Bicycle Master Plans.
 - g. Use alternatively-fueled delivery vehicles.
 - h. Location of an Electronic Vehicle charging station in the parking lot.
 - i. Transit stop enhancements (shelters, phones, etc.) within the project impact area.
 - j. Subject to the approval of a trip reduction plan submitted to APCD, implement a comprehensive Transportation Demand Management program for employees.
 - k. Provide shower stalls and locker facilities to encourage employees to bike and/or walk to work, as follows:
 - 50-199 Employees: 1 locker per 20 employees and 2 shower stalls
 - 200+ Employees: 1 locker per 20 employees and 4 shower stalls.
 - l. Establish an Employee Trip Reduction Program (ETRP) to reduce employee commute trips (i.e. carpooling incentives, van pools, and transit subsidies), coordinated with adjacent commercial development that attempts to achieve an Average Vehicle Ridership (AVR) for project employees of 1.60 or larger. Contact the Transportation Choices Coalition partners for free consulting services on how to start and maintain a Trip Reduction Program. Contact SLO Regional Rideshare at 541-2277.
 - m. Employ and implement a transportation/rideshare coordinator.

- n. Provide on-site bicycle parking distributed near business entrances in easy to locate, visible locations, at a ratio of 20 car parking spaces.
- o. Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime.
- p. Provide preferential carpool and vanpool parking spaces.
- q. Provide on-site banking (ATM) and postal services.
- r. Provide on-site childcare facilities for employees.
- s. Implement on-site circulation design element in parking lots to reduce vehicle queuing and improve the pedestrian environment with designated walkways.
- t. Provide pedestrian signalization and signage to improve pedestrian safety.
- u. If development is a large grocery store or large retail facility, provide home delivery service for customers.

23. Air Quality Impacts - Off-Site Measures

The applicant shall negotiate with the Air Pollution Control District regarding off-site mitigation requirements, since this project exceeds the Tier 3, Threshold of Significance for multi-pollutants tons/year, to mitigate air quality impacts that may result from this project, subject to the satisfaction of the Community Development Director. Measures to offsets to reduce air pollution impacts may include, but not be limited to the following.

- Design and construct bike lanes on both sides of Dallons Road in accordance with plans approved by the City Engineer. Installation (striping and signs) of a bike lane shall extend from Golden Hill Road to Buena Vista Road.
- Prior to occupancy of the project, the intersection of Dallons Drive and Golden Hill Road shall be improved with the installation of a modern roundabout in lieu of stop signs in accordance with plans approved by the City Engineer.
- Prior to occupancy of the project, the applicant shall pay its fair share of a traffic study of circulation routes in the Highway 46E corridor which will include discussion of alternative transportation modes to help mitigate impacts.
- Prior to occupancy of the project, the applicant shall provide a traffic study, geometric design and construction documents for the construction of a roundabout at the intersection of Golden Hill Road and Union Road.
- Prior to occupancy of the project, the applicant shall construct a 10 foot wide sidewalk/bike path on the west side of Golden Hill Road, extending from the intersection of Dallons Drive to the project entrance.
- A bus turnout/facility along the property frontage on Dallons Drive, acceptable to the City shall be identified and incorporated into project plans.
- Other off-site measures subject to review by APCD and approval of the City of El Paso de Robles.

24. The applicant shall incorporate enhanced walkway treatments for parking lot and building walkways which may incorporate colored and stamped concrete, brick inlay, pavers, or other treatments as approved by the Community Development Director.
25. All lighting shall be shielded and downcast to reduce light and glare spillage onto adjacent properties in compliance with City codes, and shall be approved by the Development Review Committee prior to issuance of building permit. Illumination levels measured at ground level shall not exceed 10 foot candles. Parking lot light standards and building light fixtures shall be compatible with the agrarian architectural design of the buildings.
26. The Site and Architectural Design Guidelines shall be revised and re-submitted to the Community Development Department for review and approval prior to issuance of building permits. The Guidelines shall incorporate specific architectural design guidelines that address buildings adjacent to Highway 46 to ensure that all structures along this frontage provide attractive, well articulated rooflines, wall surfaces, trellis enhancements, buffering of rear building exits with architectural treatments and durable and dense landscape buffering, and architectural treatments for unattractive building or site appurtenances such as mechanical equipment, backflow prevention and doublecheck devices and/or require below ground locations for devices.
27. All trash enclosures shall incorporate masonry construction materials and be architecturally compatible with the buildings on the site, to be approved by the Community Development Department. Trash dumpsters shall not be visible from any public right-of-way.
28. Rear loading areas along Dallons Road shall not be visible from the public right-of-way, and shall be screened with dense landscaping, architecturally decorative walls, and trellis'. Loading areas shall be maintained in a clean manner at all times, and outdoor storage or stacking of materials shall not be permitted to be visible from the public right-of-way at any time.
29. The applicant shall submit a sign program that is in compliance with provisions in the sign ordinance and provides a unified sign design program that compliments and is coordinated with the architectural design and materials used in the buildings. Approval of a sign permit for the sign program shall be reviewed and approved by the Development Review Committee prior to issuance of sign permits. A 30 foot freeway oriented center sign along Highway 46 E as presented to the Planning Commission on August 28, 2007 is approved as part of this Resolution.
30. A project phasing plan shall be submitted and approved by the Community Development Director prior to issuance of any grading or building permits. Phasing plan shall include phases for grading, site work, drainage/erosion control, landscaping and buildings. The landscaped frontage along the Highway 46 E frontage (see condition 35 below) shall be installed as part of the initial construction phase.
31. All cart storage facilities shall be designed with architecturally decorative structures compatible with architectural building design themes and quality as approved by the Community Development Director.

32. Parking lot trees shall be installed at intervals of one shade tree per every five parking spaces. Per City Code, the parking lot design shall demonstrate a minimum of 25 percent shade cover within five years.
33. A parcel map shall be recorded to merge the existing parcels, and a reciprocal access and parking agreement shall be recorded with the Final Map for said lot merger. The Final Map shall be recorded prior to issuance of certificate of occupancy.
34. Dense landscaping and trellis details shall be provided on both sides of driveway entrances along Dallons Road, and shall be approved the Development Review Committee prior to issuance of building permits.
35. Prior to occupancy of the first building, dense landscaping shall be provided within the 30 foot wide landscape buffer along Highway 46E in accordance with plans approved by the Development Review Committee. The landscaping shall be integrated with the retaining wall along the west boundary of the project.
36. 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.
37. All required fire risers and any required fire pumps shall be installed with buildings so that they are not visible.
38. Provide fire sprinkler systems for all buildings in the development.

39. Traffic Impacts: Prior to occupancy of the first building:

- Dallons Drive shall be improved with curb, gutter, sidewalk and pavement widening adequate to accommodate a continuous center turn lane and bike lanes on both sides in accordance with plans approved by the City Engineer. The plans will include the provision of bus turn-outs and canopies adjacent to the project and on the north side of Dallons Drive.
- Traffic calming measures shall be constructed on Dallons Drive through the adjacent residential neighborhood (the boundaries of Tract 2005). Traffic calming measures will typically include modified lane striping.
- Golden Hill Road shall be improved from Highway 46E to Dallons Drive in accordance with plans approved by the City Engineer. A traffic signal shall be installed at the project entrance in accordance with plans approved by the City Engineer.
- The intersection of Golden Hill Road and Highway 46E shall be improved in accordance with the schematic plans provided with the application and in accordance with plans approved by Caltrans and the City Engineer. Existing overhead utilities in the intersection shall be relocated underground.

- The applicant shall provide to the City \$250,000 for the preparation of a Project Study Report of interchange and traffic signal options at the intersection of Union Road and Highway 46E.
 - The applicant shall offer to dedicate 30-feet as public right-of-way along the Highway 46E frontage of the property.
40. The project design and construction shall incorporate Low Impact Development (LID) best management practices to mitigate the impacts on quality, quantity and rate of discharge of storm water run-off from the site. LID practices shall include standards recommended by the California Regional Water Quality Control Board to the extent practicable including:
- Reduced and disconnected impervious surfaces
 - Native vegetation preservation
 - Bioretention
 - Tree boxes to capture and infiltrate street runoff
 - Vegetated Swales, buffers, and strips
 - Roof leader flows directed to planter boxes and other vegetated areas
 - Permeable pavement
 - Soil amendments to increase infiltration rates
41. Prior to the issuance of permits for grading/construction or prior to final inspection of any grading/construction permits, the applicant shall provide for San Joaquin Kit Fox (SJKF) habitat preservation, in a form acceptable to the CA Fish & Game Department and the City of Paso Robles. The applicable habitat replacement ratio shall be as determined in consultation with the CA Fish & Game Department and the City of Paso Robles, Lead Agency. The applicant shall have the ability to enter into an agreement with CA Fish & Game Department for payment of an in-lieu fee of \$2500 per acre to an approved agency for a replacement habitat based on the score from the Kit Fox Evaluation Form and Procedure and the CA Fish & Game for each acre lost.
42. San Joaquin Kit Fox Protective Measures Before and During Construction:
- a. Within 30 days prior to initiation of construction, the applicant shall hire a qualified biologist acceptable to the U.S. Fish and Wildlife Service, CA Fish & Game Department, and the Community Development Director or his designee, to conduct a pre-construction survey for active kit fox dens.
 - b. Before any grading or construction activities commence, all personnel associated with the project shall attend a worker education program regarding the sensitive biological resources potentially occurring in the project area (i.e., San Joaquin kit fox). This program is to include information on the kit fox, its life histories and careful review of the mitigation measures to be implemented in order to avoid or reduce impacts. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. The Community Development Department shall be notified of the time that the applicant intends to hold this meeting.

- c. To prevent entrapment of the kit fox during the construction phase of the project, all excavation, steep-walled holes or 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.
- d. During the construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at the project site for one or more overnight periods 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, or if necessary will be moved only once to remove it from the path of activity, until the kit fox has escaped.
- e. All food-related trash items such as wrappers, cans, bottles, and food scraps generated during the construction phase shall be disposed of in closed containers only and regularly removed from the site. Food items may attract 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.
- f. Use of pesticides shall be in compliance with all local, state and federal regulations. (This is necessary to prevent primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which kit foxes depend.)
- g. Any contractor or employee that inadvertently kills or injures a kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to a supervisor overseeing the project. In the event that such observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the CA Fish & Game Department by telephone. Formal notification shall also 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 the CA Fish & Game Department for care, analysis, or disposition.
- h. So as not to attract red fox, coyotes, or domestic dogs to the area, all waste products shall be disposed of in a manner that would not attract these animals.
- i. If any potential or known San Joaquin kit fox dens are subsequently observed during the required pre-construction survey, the following mitigation measures shall apply:
 - (i) Fenced exclusion zones shall be established by a qualified biologist around all kit fox dens that can be avoided but may be inadvertently impacted by project activities;

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 kit fox den: 100 feet
- Kit fox pupping den: 150 feet

(ii) Only essential vehicle operation on existing roads (if the exclusion zone intersects a road) and simple foot traffic shall be permitted within these exclusion zones. Otherwise, all project activities such as vehicle operation, materials storage, etc., shall be prohibited. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed. If specified exclusion zones cannot be observed for any reason, the U.S. Fish and Wildlife Service and CA Fish & Game Department shall be contacted for guidance prior to ground disturbing activities on or near the subject den or burrow.

(iii) If any known or potential San Joaquin kit fox dens are discovered within the designated project area which shall be unavoidably destroyed by the proposed project, excavation of kit fox dens shall not proceed without authorization from the U.S. Fish and Wildlife Service and CA Fish & Game Department. A copy of any such authorization received shall be provided to the City for its records.

43. Prior to issuance of building permits, the landscape plan shall be revised to provide number of replacement oak trees in compliance with the City's Oak Tree Preservation Ordinance for the two oak trees proposed to be removed. Landscape plans shall incorporate the oak tree in Caltrans right-of-way into landscape plans include protection measures to be implemented during construction per section 10.01.070 of the City Oak Tree Ordinance, and as specified for the project by A&T Arborists (July 6, 2007). Final landscape plans shall identify number and size of proposed oak trees and ensure adequate species replacement onsite. The landscape plan shall be approved by the Community Development Department prior to issuance of building permits.

44. Prior to issuance of building permits, all roof-mounted equipment located on buildings adjacent to residential properties on the western property line shall be adequately baffled to not result in increased noise from this project at the site property lines, and the equipment shall be shielded so as to not impact adjacent residences pursuant to the requirements of the City Noise element. Additionally, all buildings on the project site shall screen any roof-mounted equipment behind roof parapets or otherwise screened from public view.

45. Prior to issuance of building permits, the applicant shall submit a 30' offer of dedication to the City along the SR 46 East property frontage.

46. Prior to occupancy, a minimum of ten (10) bicycle racks (each with a minimum capacity of 4 bicycles) shall be installed onsite. Racks shall have a minimum of 5' clearance from curbs, fire hydrants, street furniture, and building entrances and distributed throughout the site within easy access to all buildings and/or building pads.

47. Prior to issuance of building permits, chain link fencing and precision block materials shall be removed from project plans, and substituted with other materials as approved by the Development Review Committee.
48. Prior to issuance of building permits, the applicant shall submit plans to underground all utilities proposed for the project.
49. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - a. Construction activities shall cease, and the Community Development Director shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Community Development Director so that proper disposition may be accomplished.
50. All double check valves and backflow prevention fixtures shall be installed underground or screened as approved by the Community Development Director.
51. [Intentionally omitted]
52. [Intentionally omitted]
53. [Intentionally omitted]
54. The applicant shall incorporate RV parking spaces on the Site Plan which shall be approved by the Development Review Committee prior to issuance of building permits.
55. The applicant shall negotiate limitations on truck delivery hours to reduce conflicts with surrounding neighbors, with the Development Review Committee to the Committee's satisfaction prior to issuance of building permits.
56. The applicant shall modify the building elevations of major tenants to reduce the amount of split-faced block used to the satisfaction of the Development Review Committee.

PASSED AND ADOPTED THIS 12th day of August, 2008 by the following roll call vote:

AYES: Commissioners –
NOES: Commissioners –
ABSENT: Commissioners –
ABSTAIN: Commissioners –

CHAIRMAN ED STEINBECK

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

**EXHIBIT A
OF RESOLUTION**

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

PROJECT #: PD 06-025 AND CUP 06-013

APPROVING BODY: PLANNING COMMISSION

DATE OF APPROVAL: August 12, 2008

APPLICANT: Regency Centers

LOCATION: Golden Hill Road between Hwy. 46E and Dallons 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 12, 2010 (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

(Adopted by Planning Commission Resolution 94-038)

made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.

- 5. This project is subject to the California Environmental Quality Act (CEQA) which requires the applicant submit a \$1850.00 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:

Dallons Road, Golden Hill Road

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

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

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

(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:

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

D. PRIOR TO ANY PLAN CHECK:

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

E. PRIOR TO ISSUANCE OF A GRADING PERMIT:

- 1. Prior to approval of a grading plan, the developer shall apply through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application.
- 2. The proposed structures and grading shall not encroach into the 100-year floodway as specified in Municipal Code Chapter 21.14 "Flood Damage Prevention Regulations".
- 3. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to removal.
- 4. A complete grading and drainage plan prepared by a registered civil engineer shall be included with the improvement plans. Drainage calculations shall be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer.

(Adopted by Planning Commission Resolution 94-038)

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

F. PRIOR TO ANY SITE WORK:

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

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:

(Adopted by Planning Commission Resolution 94-038)

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

G. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

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

(Adopted by Planning Commission Resolution 94-038)

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

H. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

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

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

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.

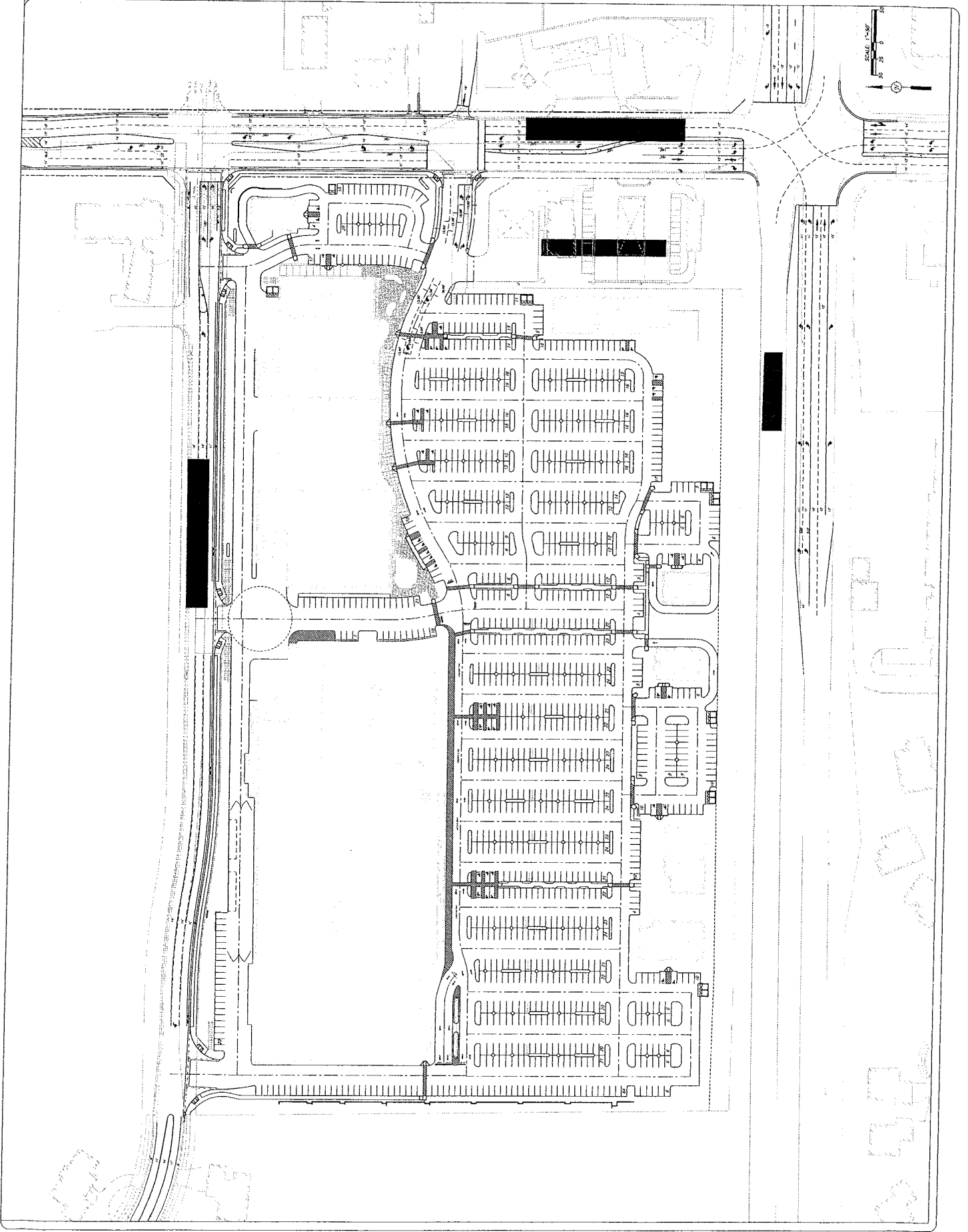
Exhibit B – Site Plan, Landscape Plan and Elevations

PROJECT NO. 14-00000
DATE 08/20/14
DESIGNED BY: KAN
DRAWN BY: KAN
CHECKED BY: KAN

PRELIM.
SITE PLAN
1

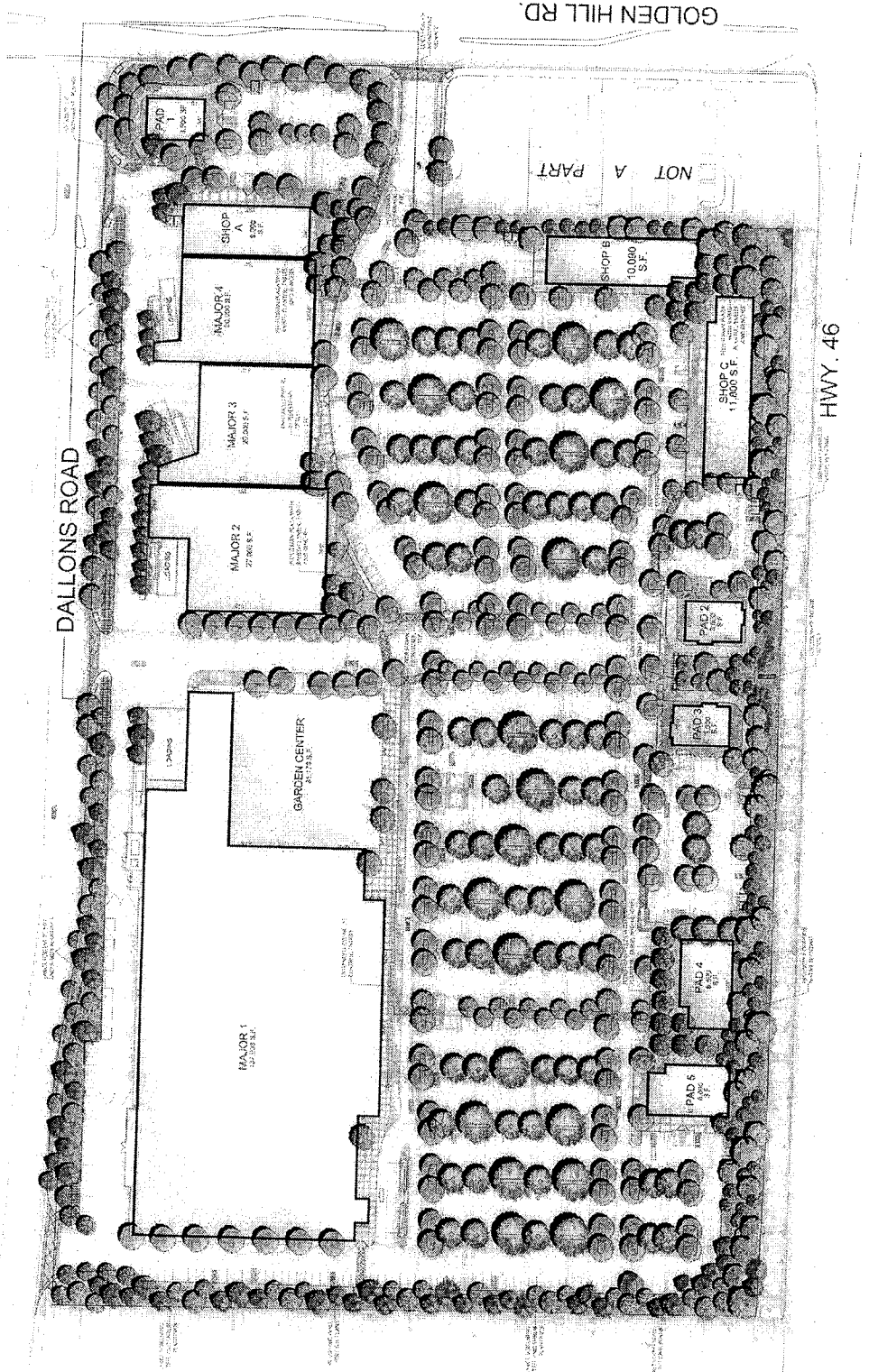
PRELIMINARY SITE PLAN
PASO ROBLES SHOPPING CENTER
REGENCY CENTERS
PASO ROBLES, CALIFORNIA

220 CHANDLER ROAD CL. BX. 303 ROYALTON, CA 95076
TEL. 925.777.4000
FAX 925.777.4000
DESIGN INC.
VV R G



PROPOSED PLANT LEGEND

SYMBOL	PLANT SPECIES	SIZE
	1. PLANT MATERIAL	1.00L
	2. PLANT MATERIAL	1.00L
	3. PLANT MATERIAL	1.00L
	4. PLANT MATERIAL	1.00L
	5. PLANT MATERIAL	1.00L
	6. PLANT MATERIAL	1.00L
	7. PLANT MATERIAL	1.00L
	8. PLANT MATERIAL	1.00L
	9. PLANT MATERIAL	1.00L
	10. PLANT MATERIAL	1.00L
	11. PLANT MATERIAL	1.00L
	12. PLANT MATERIAL	1.00L
	13. PLANT MATERIAL	1.00L
	14. PLANT MATERIAL	1.00L
	15. PLANT MATERIAL	1.00L
	16. PLANT MATERIAL	1.00L
	17. PLANT MATERIAL	1.00L
	18. PLANT MATERIAL	1.00L
	19. PLANT MATERIAL	1.00L
	20. PLANT MATERIAL	1.00L
	21. PLANT MATERIAL	1.00L
	22. PLANT MATERIAL	1.00L
	23. PLANT MATERIAL	1.00L
	24. PLANT MATERIAL	1.00L
	25. PLANT MATERIAL	1.00L
	26. PLANT MATERIAL	1.00L
	27. PLANT MATERIAL	1.00L
	28. PLANT MATERIAL	1.00L
	29. PLANT MATERIAL	1.00L
	30. PLANT MATERIAL	1.00L
	31. PLANT MATERIAL	1.00L
	32. PLANT MATERIAL	1.00L
	33. PLANT MATERIAL	1.00L
	34. PLANT MATERIAL	1.00L
	35. PLANT MATERIAL	1.00L
	36. PLANT MATERIAL	1.00L
	37. PLANT MATERIAL	1.00L
	38. PLANT MATERIAL	1.00L
	39. PLANT MATERIAL	1.00L
	40. PLANT MATERIAL	1.00L
	41. PLANT MATERIAL	1.00L
	42. PLANT MATERIAL	1.00L
	43. PLANT MATERIAL	1.00L
	44. PLANT MATERIAL	1.00L
	45. PLANT MATERIAL	1.00L
	46. PLANT MATERIAL	1.00L
	47. PLANT MATERIAL	1.00L
	48. PLANT MATERIAL	1.00L
	49. PLANT MATERIAL	1.00L
	50. PLANT MATERIAL	1.00L
	51. PLANT MATERIAL	1.00L
	52. PLANT MATERIAL	1.00L
	53. PLANT MATERIAL	1.00L
	54. PLANT MATERIAL	1.00L
	55. PLANT MATERIAL	1.00L
	56. PLANT MATERIAL	1.00L
	57. PLANT MATERIAL	1.00L
	58. PLANT MATERIAL	1.00L
	59. PLANT MATERIAL	1.00L
	60. PLANT MATERIAL	1.00L
	61. PLANT MATERIAL	1.00L
	62. PLANT MATERIAL	1.00L
	63. PLANT MATERIAL	1.00L
	64. PLANT MATERIAL	1.00L
	65. PLANT MATERIAL	1.00L
	66. PLANT MATERIAL	1.00L
	67. PLANT MATERIAL	1.00L
	68. PLANT MATERIAL	1.00L
	69. PLANT MATERIAL	1.00L
	70. PLANT MATERIAL	1.00L
	71. PLANT MATERIAL	1.00L
	72. PLANT MATERIAL	1.00L
	73. PLANT MATERIAL	1.00L
	74. PLANT MATERIAL	1.00L
	75. PLANT MATERIAL	1.00L
	76. PLANT MATERIAL	1.00L
	77. PLANT MATERIAL	1.00L
	78. PLANT MATERIAL	1.00L
	79. PLANT MATERIAL	1.00L
	80. PLANT MATERIAL	1.00L
	81. PLANT MATERIAL	1.00L
	82. PLANT MATERIAL	1.00L
	83. PLANT MATERIAL	1.00L
	84. PLANT MATERIAL	1.00L
	85. PLANT MATERIAL	1.00L
	86. PLANT MATERIAL	1.00L
	87. PLANT MATERIAL	1.00L
	88. PLANT MATERIAL	1.00L
	89. PLANT MATERIAL	1.00L
	90. PLANT MATERIAL	1.00L
	91. PLANT MATERIAL	1.00L
	92. PLANT MATERIAL	1.00L
	93. PLANT MATERIAL	1.00L
	94. PLANT MATERIAL	1.00L
	95. PLANT MATERIAL	1.00L
	96. PLANT MATERIAL	1.00L
	97. PLANT MATERIAL	1.00L
	98. PLANT MATERIAL	1.00L
	99. PLANT MATERIAL	1.00L
	100. PLANT MATERIAL	1.00L



PROJECT # 24115
DATE: APRIL 11, 2008

1" = 50'

North

REGENCY CENTERS
38 EXECUTIVE DRIVE
SUITE 100
IRVINE, CA 92614

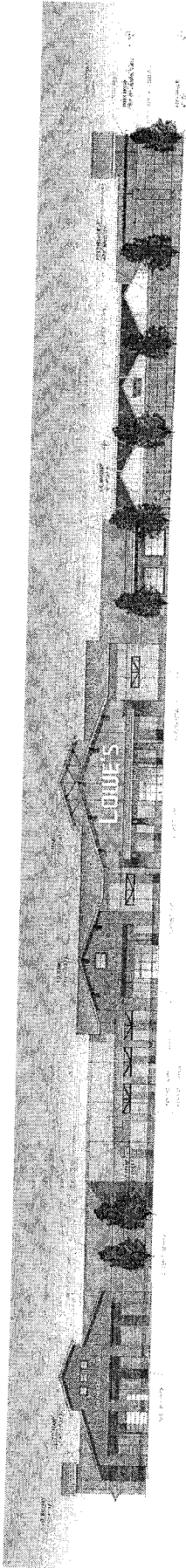
REGENCY CENTERS
38 EXECUTIVE DRIVE
SUITE 100
IRVINE, CA 92614

regency centers
38 EXECUTIVE DRIVE
SUITE 100
IRVINE, CA 92614

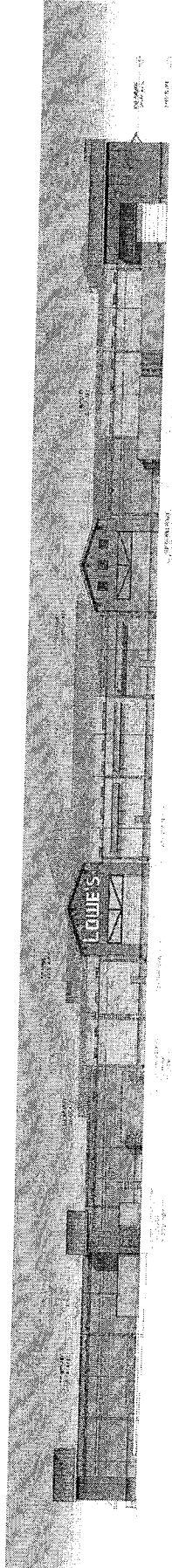
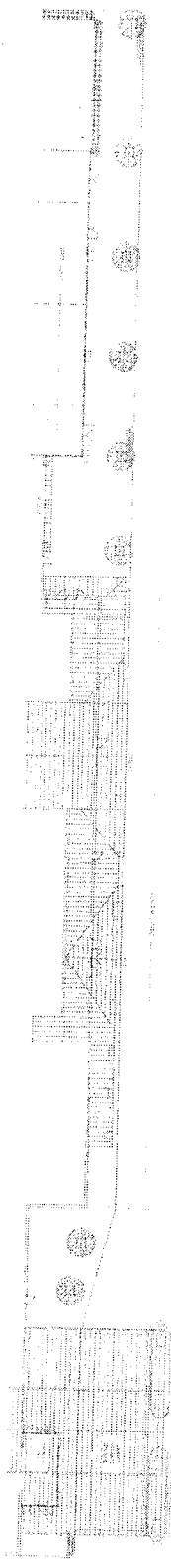
GOLDEN HILLS PLAZA
PASO ROBLES, CALIFORNIA

HIGHWAY 46 & GOLDEN HILLS ROAD
CONCEPTUAL PLANTING PLAN

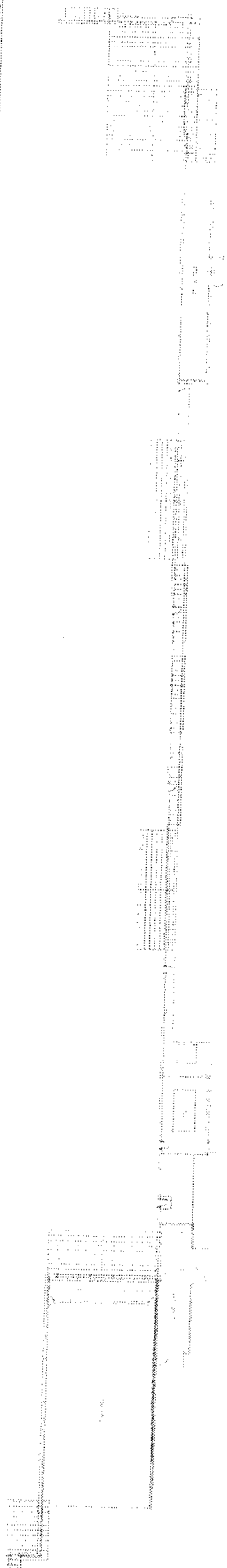
L-1



FRONT ELEVATION (SOUTH)



REAR ELEVATION (NORTH)



PROJECT # 06-0376-01
DATE: APRIL 2, 2007

MULVANNY GS2

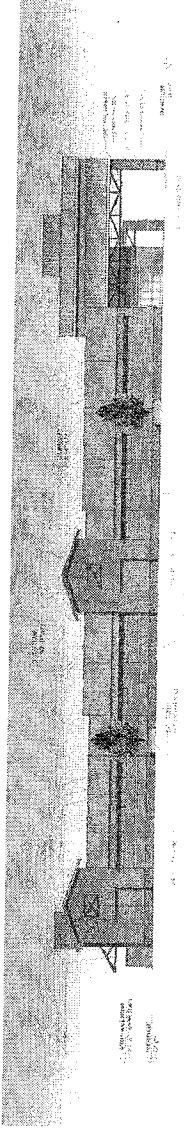


LOWE'S HOME DEPARTMENT
1000 PALMWAY AVE. SUITE 400
CARLSBAD, CA 92008
PH: 760.439.1000

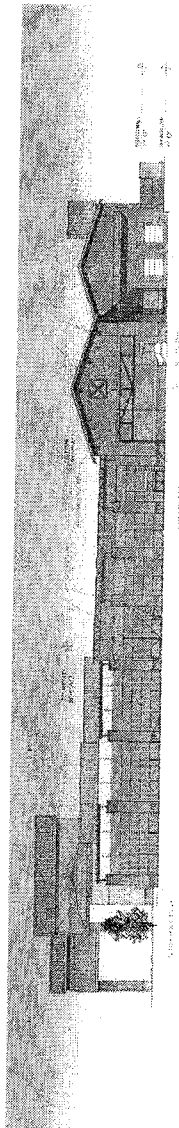
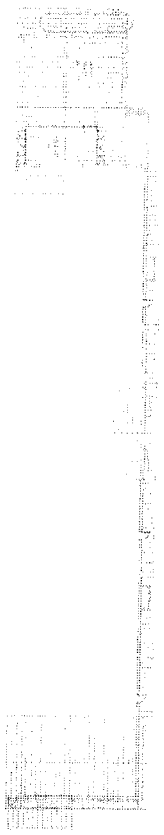
GOLDEN HILLS PLAZA
HWY 46 & GOLDEN HILLS ROAD

11

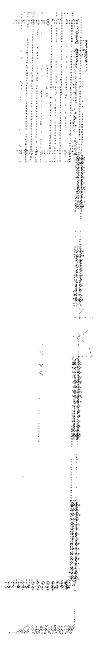
REGENCY CENTERS INC.
300 EXECUTIVE DRIVE
SUITE 100
ROSELIE, CA 92514



LEFT ELEVATION (WEST)



RIGHT ELEVATION (EAST)



GOLDEN HILLS PLAZA
 PASO ROBLES, CA
 HWY 46 & GOLDEN HILLS ROAD

12

REGENCY CENTERS INC.
 26 EXECUTIVE DRIVE
 SUITE 100
 IRVINE, CA 92614

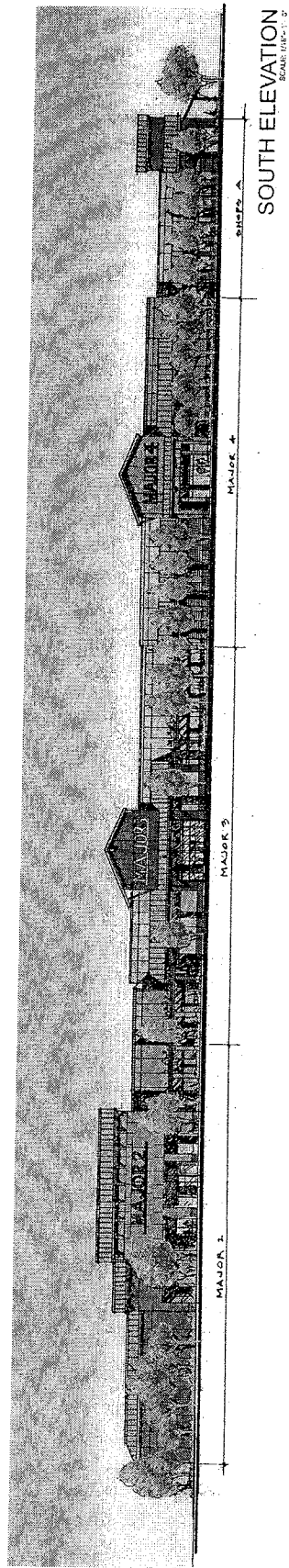
PROJECT # 08-0376-01
 DATE: APRIL 2, 2002

MULVANNY C2

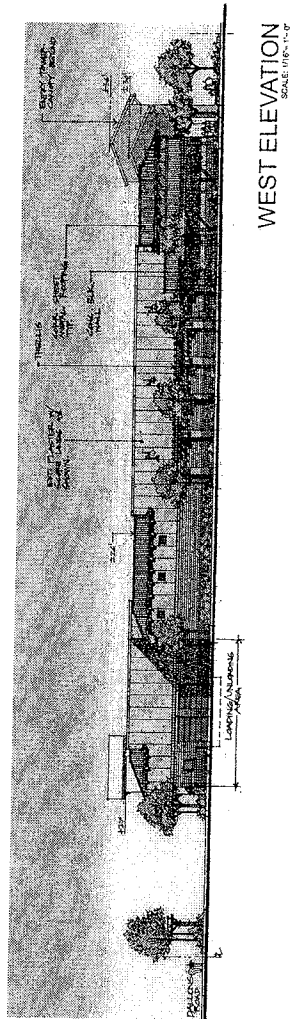
15870 FORD BLVD. SUITE 100
 CHESBAC, CA 93509
 (951) 442-2001



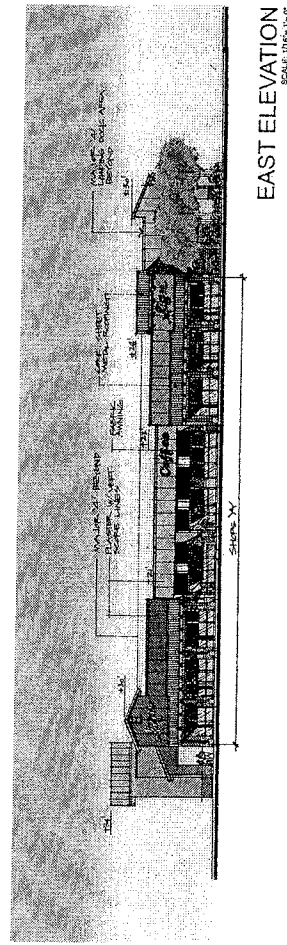
LOWE'S HOME IMPROVEMENT
 15870 FORD BLVD. SUITE 100
 CHESBAC, CA 93509
 (951) 442-2001



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

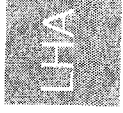


WEST ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"

PROJECT # 24115
DATE: APRIL 9, 2007



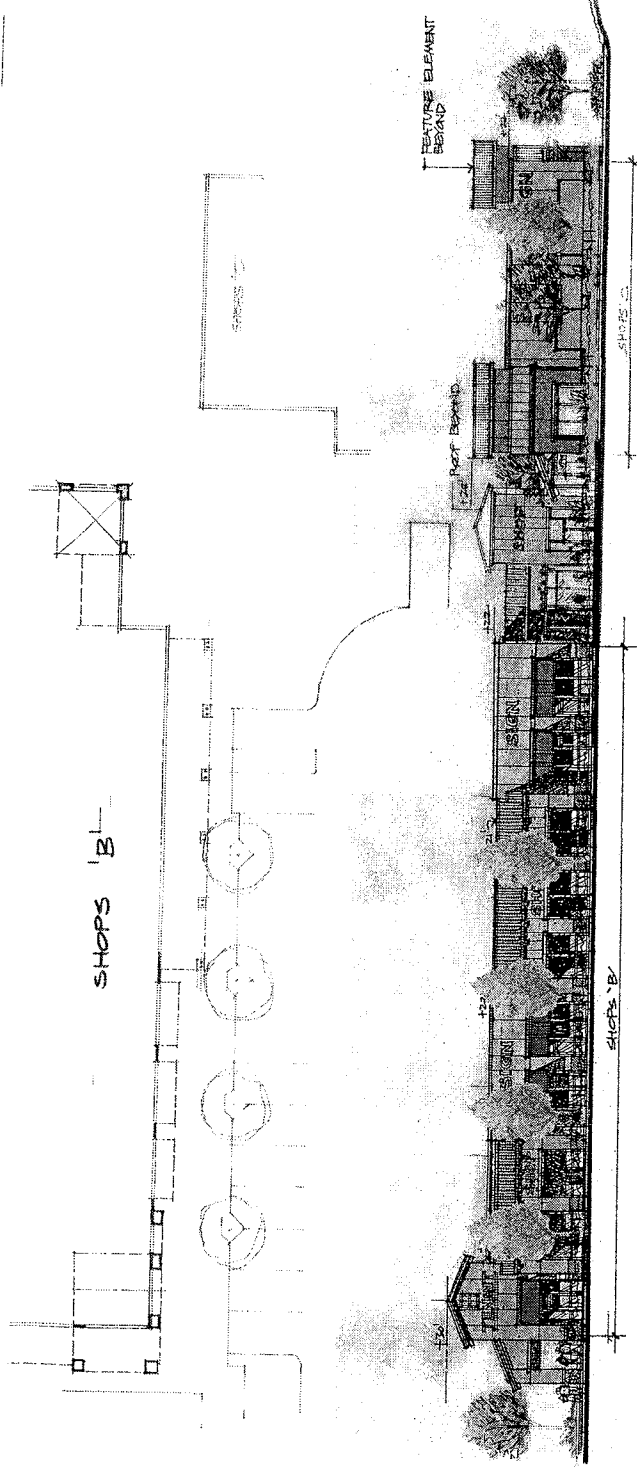
a division of gkkworks

1822 Vesper Boulevard | GARDNER, MA 01907
818.248.0040 | 818.248.0041 | www.lhaarchitects.com

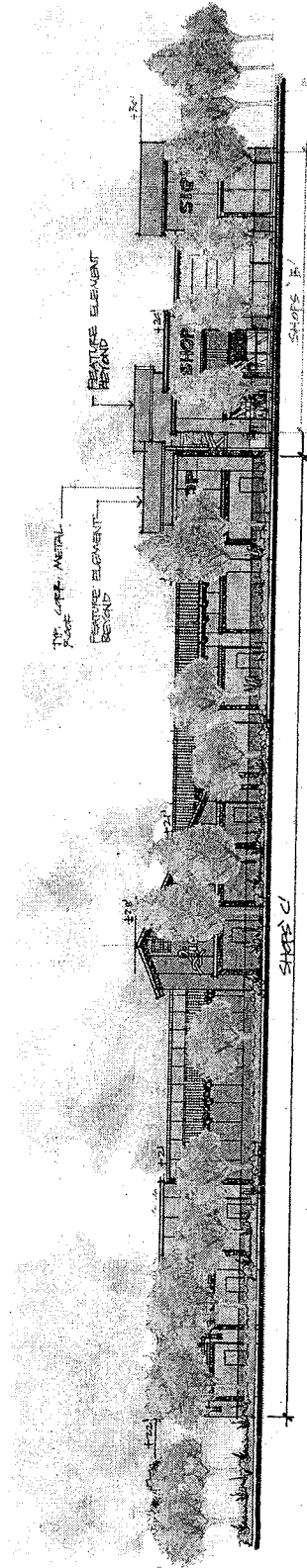
GOLDEN HILLS PLAZA

HWY 46 & GOLDEN HILLS ROAD
MAJOR ELEVATIONS

regencycenters
36 EXECUTIVE DRIVE
SUITE 100
IRVINE, CA 92614

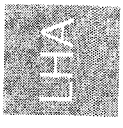


WEST ELEVATION
SCALE: 3/32" = 1'-0"



SOUTH ELEVATION
SCALE: 3/32" = 1'-0"

PROJECT # 24115
DATE: APRIL 9, 2007

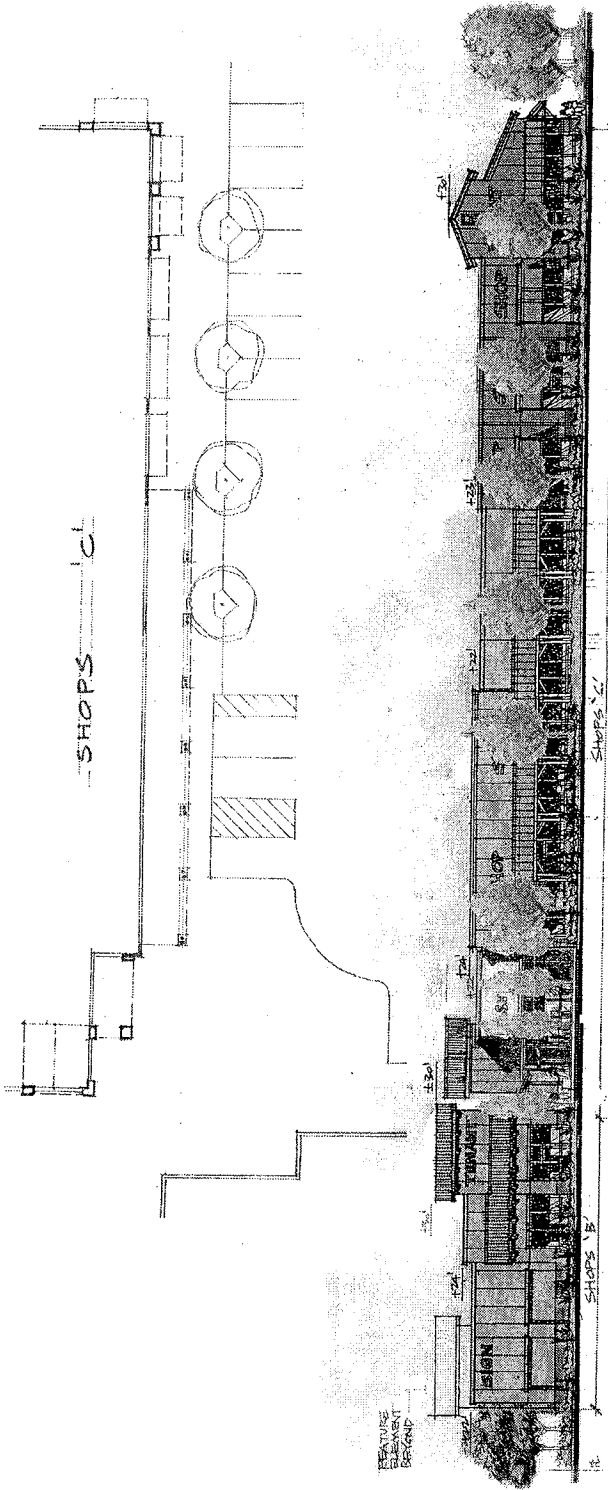


a division of gkkworks
1833 Victor Boulevard | Suite 101 | Irvine, CA 92614
818 246 6030 | 818 240 0430 fax | www.lharchitects.com

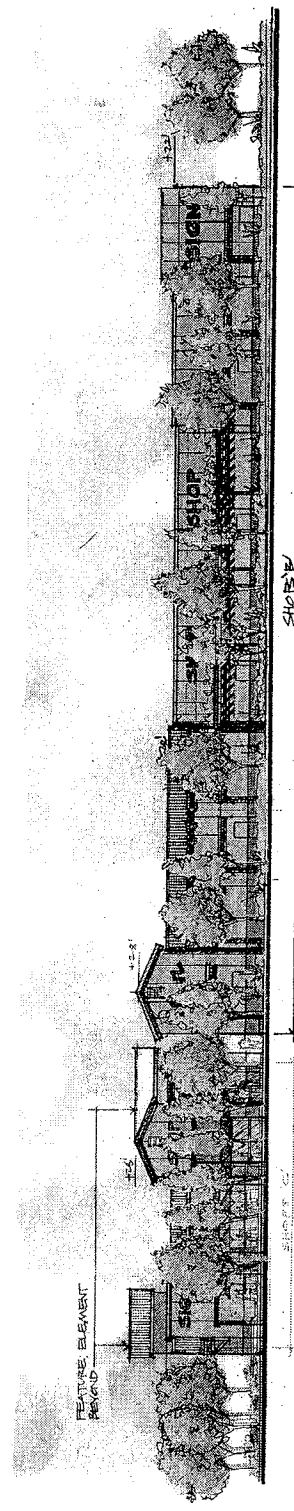
GOLDEN HILLS PLAZA PASADENA, CA
HWY 46 & GOLDEN HILLS ROAD
ELEVATIONS OF SHOPS 'B' & 'C'

9

regency centers
36 EXECUTIVE DRIVE
SUITE 100
IRVINE, CA 92614

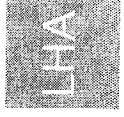


NORTH ELEVATION
SCALE: 3/32" = 1'-0"



EAST ELEVATION
SCALE: 3/32" = 1'-0"

PROJECT # 24115
DATE: APRIL 9, 2007

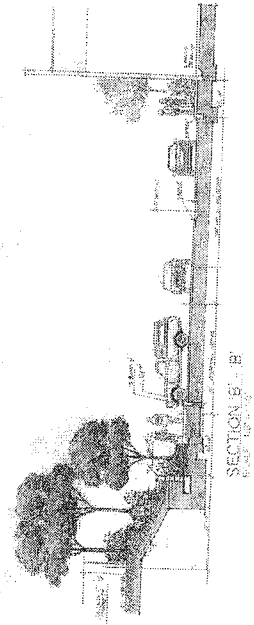
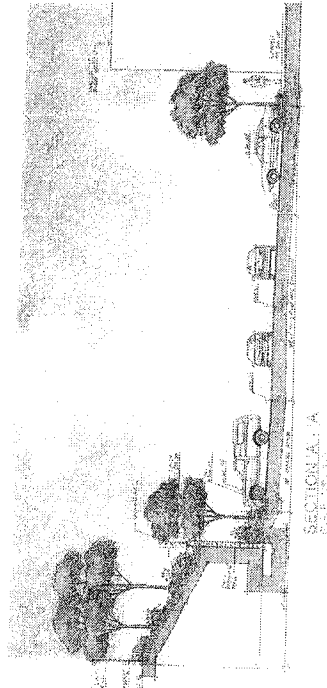
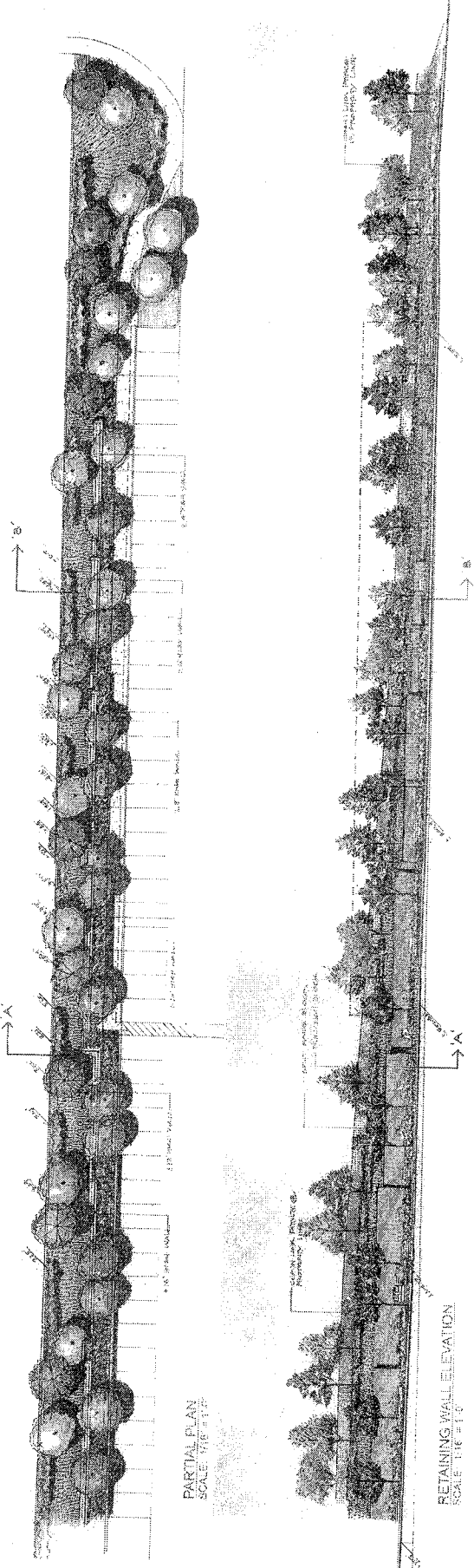


a division of gkkworks
1833 Victory Boulevard GLENDALE CA 91201
818 246 8560 | 818 240 0430 fax | www.lhaarchitects.com

GOLDEN HILLS PLAZA FABOROBIES, CA
HWY 46 & GOLDEN HILLS ROAD
ELEVATIONS OF SHOPS 'B' & 'C'

8

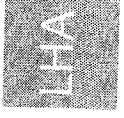
regency centers
36 EXECUTIVE DRIVE
SUITE 100
IRVINE, CA 92614
CLIENT



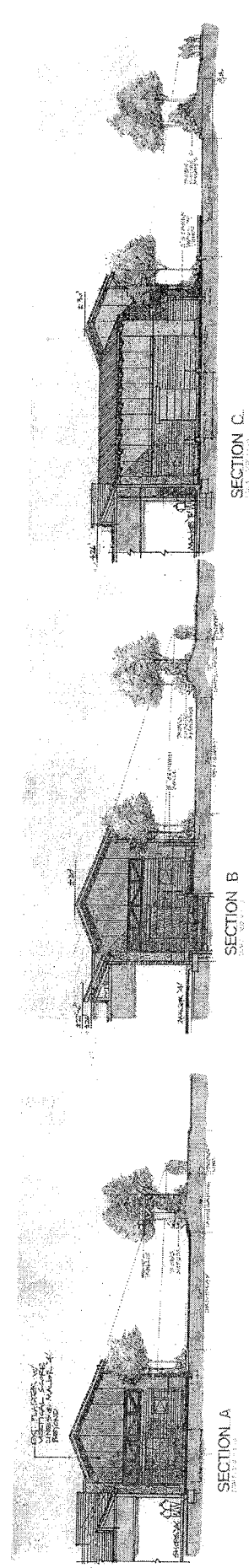
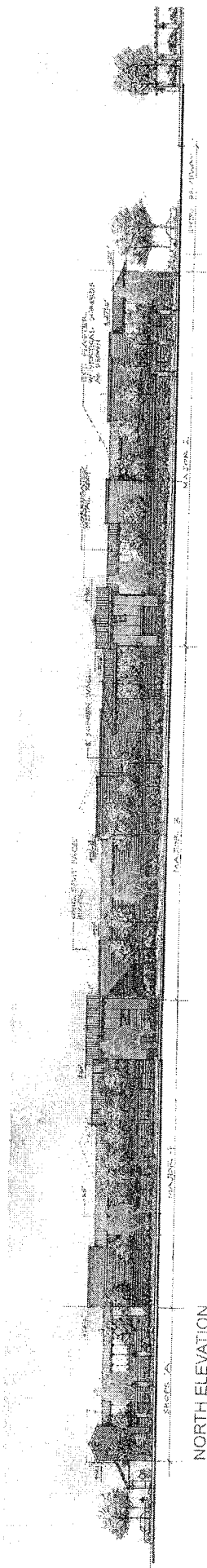
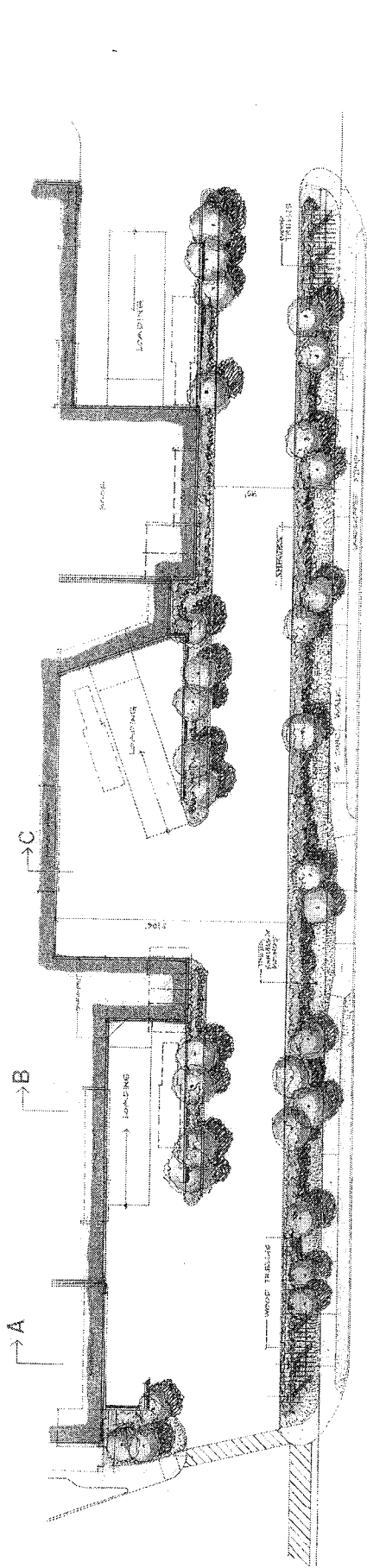
regencycenters
38 EXECUTIVE DRIVE
SUITE 100
IRVINE, CA 92614

GOLDEN HILLS PLAZA
HWY 46 & GOLDEN HILLS ROAD
RETAINING WALL DESIGN

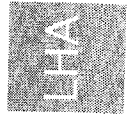
PROJECT # 24115
DATE: APRIL 9, 2007



a division of gkkworks
1833 Victory Boulevard | Glendale, CA 91201
818 248 6800 | 818 240 0430 fax | www.lhaarchitects.com



PROJECT # 24115
DATE: APRIL 9, 2007

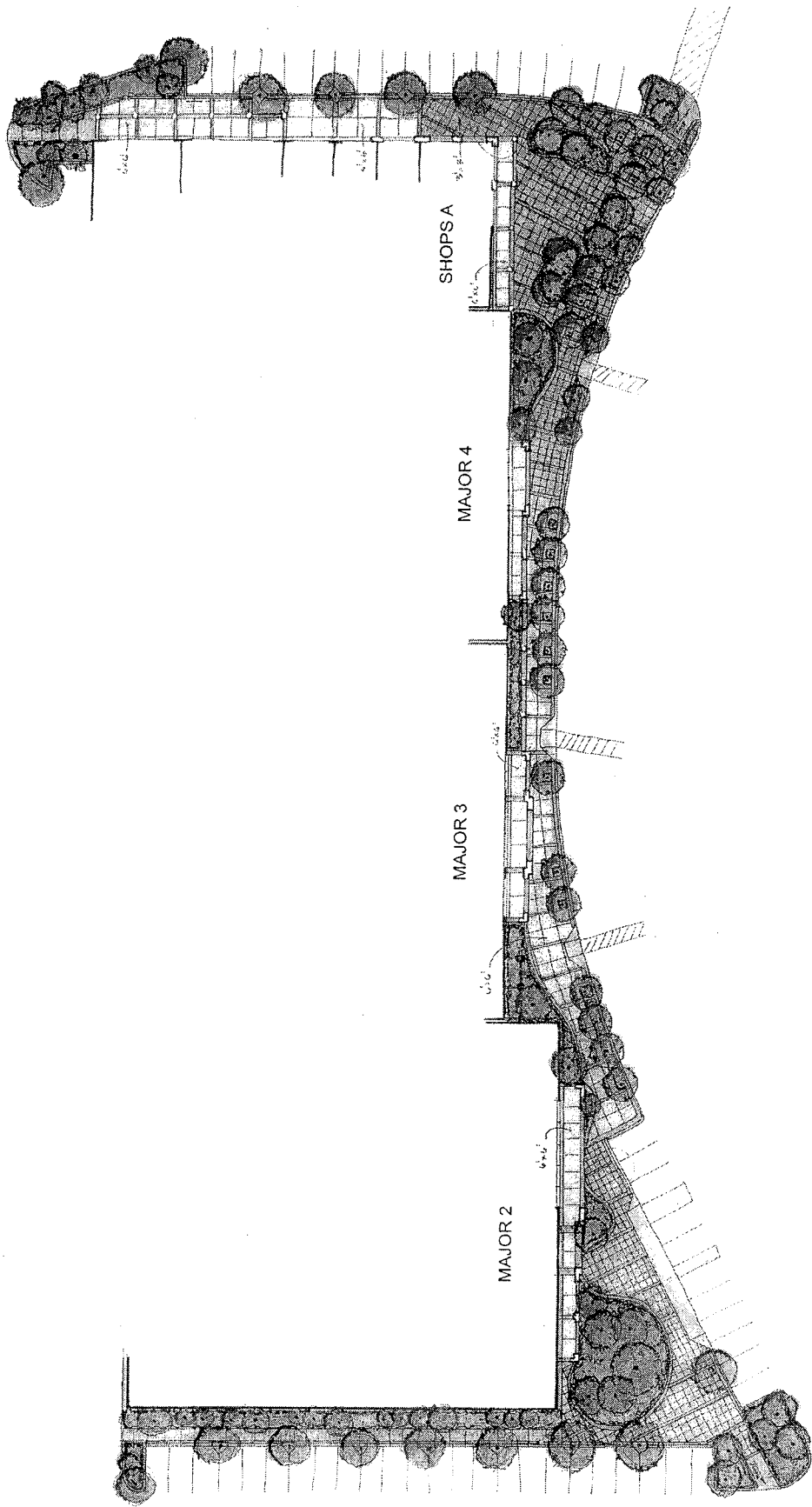


a division of gkkworks
1833 Victory Boulevard | GLENDALE, CA 91201
818.246.6550 | 818.243.0430 fax | www.lhaarchitects.com

GOLDEN HILLS PLAZA
HWY 48 & GOLDEN HILLS ROAD
NORTH ELEVATION DESIGN

15

regencycenters
36 EXECUTIVE DRIVE
SUITE 100
IRVINE, CA 92614

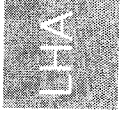


north



SCALE 1/8" = 1'-0"

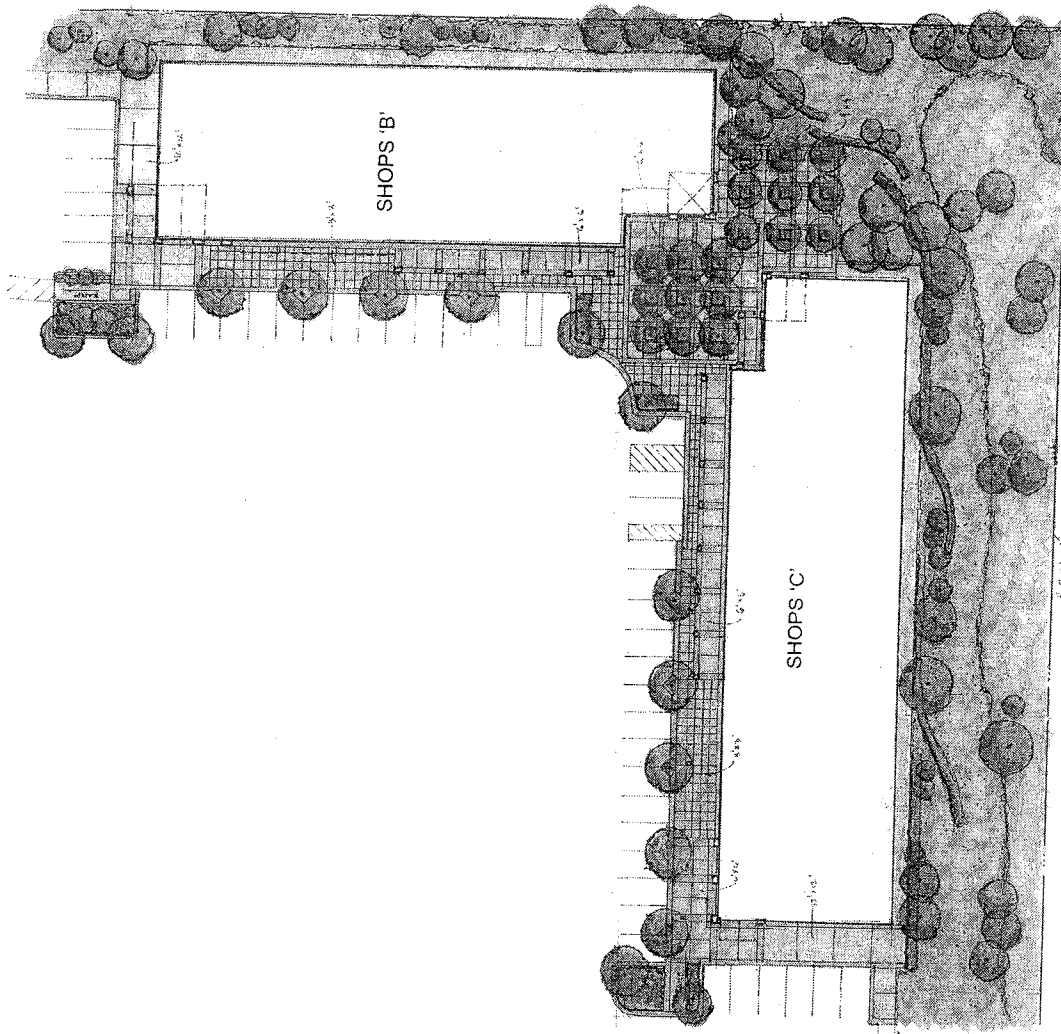
PROJECT # 24115
DATE: APRIL 9, 2007



a division of gkkworks
1833 Victory Boulevard | Glendale, CA 91201
818.246.0357 | 818.246.0430 fax | www.lhaarchitects.com

GOLDEN HILLS PLAZA
HWY 46 & GOLDEN HILLS ROAD
HARDSCAPE AT MAJORS

regencycenters
38 EXECUTIVE DRIVE
SUITE 100
IRVINE, CA 92614



north
↑

SCALE: 1/8" = 1'-0"

PROJECT # 24115
DATE: APRIL 9, 2007

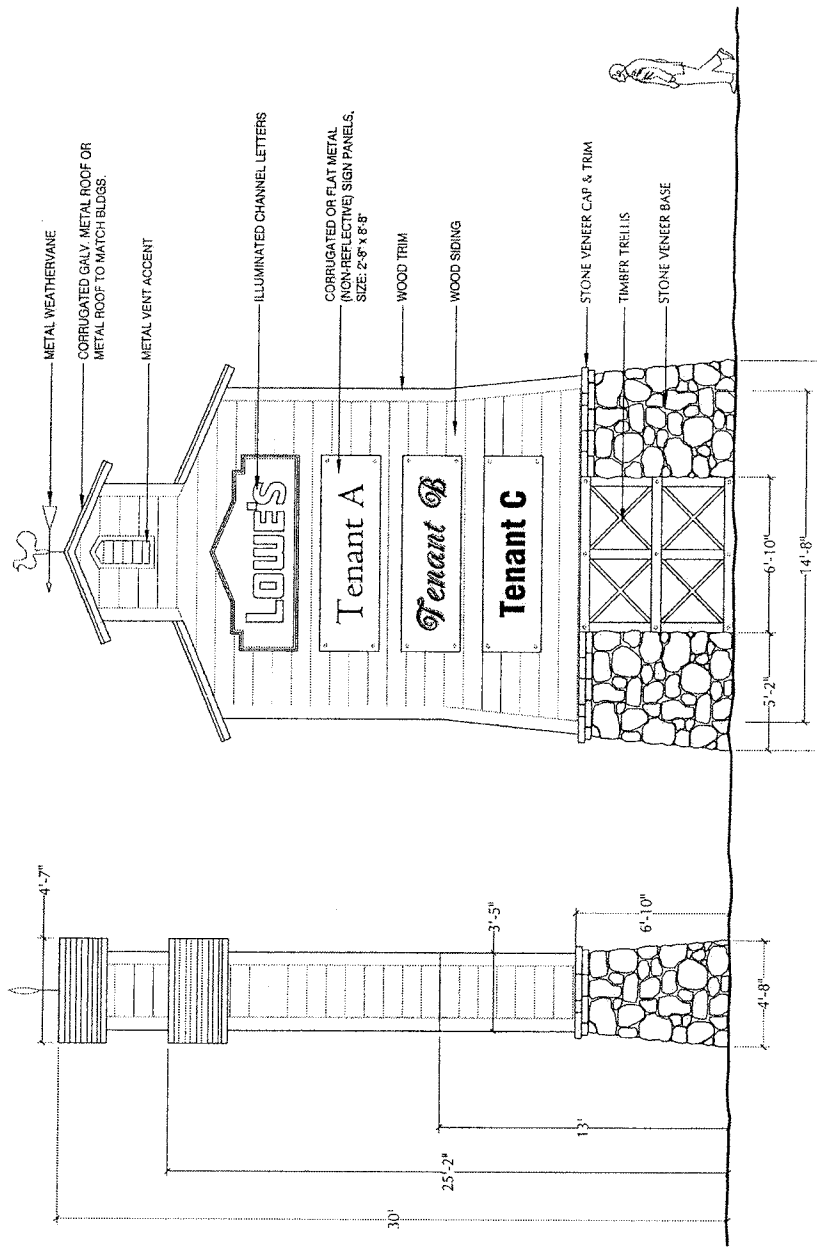


a division of gkkworks
1833 Victory Boulevard | Oceanside, CA 92057
818 246 0050 | 818 240 0430 fax | www.lhanhillside.com

GOLDEN HILLS PLAZA PASADENAS, CA
HWY 46 & GOLDEN HILLS ROAD
HARDSCAPE AT SHOPS 'B' & 'C'

17

regencycenters
58 EXECUTIVE DRIVE
SUITE 100
IRVINE, CA 92614



PROJECT # 24115
DATE: APRIL 9, 2007



a division of gskworks
2007-2008 3175 2007-2008
www.gskworks.com

GOLDEN HILLS PLAZA SIGNAGE

regencycenters
36 EXECUTIVE DRIVE
SUITE 100
IRVINE, CA 92614

PROJECT INFO



Patrick and Kathryn Gross
1869 Dallons Drive
Paso Robles, CA 93446

Planning Division

July 9, 2008

Susan DeCarli, Planning Manager
City of El Paso de Robles
1000 Spring Street
Paso Robles, CA 93446

Ms. DeCarli;

Recently, my wife and I received notice of a public hearing on amendments to the plan for the Regency/Lowes Shopping Center at the corner of Highway 46 east and Golden Hills Road. We understand that the hearing has been rescheduled for July 22nd.

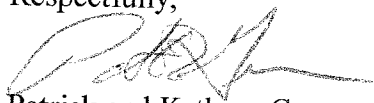
During a phone conversation on July 8th, you informed me that one of the concerns had to do with air quality impact. My wife and I would like to make two recommendations that would help the air quality impact on our residential neighborhood.

The first recommendations would be not having a traffic entry/exit near the residential area. A traffic access is currently planned for the north-west corner of the center within feet of residential homes. This elimination of an access would keep cars and trucks from producing exhaust as they idle while waiting to make turns in or out. This elimination of an entry/exit would address the production of pollutants near the residential neighborhood.

The second solution would be the type and quantity of green belt insulating the center from the residential area; including our property which is diagonal from the center. Although a green belt has been planned, height of cinder block wall and width of green belt should be revisited. A green belt should be planned that is wide enough to facilitate a thick tree barrier between the center and the residential neighborhood. This green belt should wrap around the center on both the side separating the residential area and along Dallons Drive, protecting the homes which are diagonal from the center. Trees must include an ample amount of evergreen (redwoods are recommended.) The impact on air quality knows no season. Dormant deciduous trees will do little for air quality during the winter.

Last, let me close by saying that we have had our house on the market for two listings now, eight months; and nothing has happened. Prospective buyers are very concerned about how well the city will maintain the integrity of the neighborhood. Your implementation of these two recommendations would not only assist in improving the air quality for our neighborhood, but it would help maintain the values of our properties.

Respectfully,


Patrick and Kathryn Gross



AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Susan DeCarli, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for PD Amendment 06-025 and Tract 2980 on this 25th day of June 2008.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Susan DeCarli

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

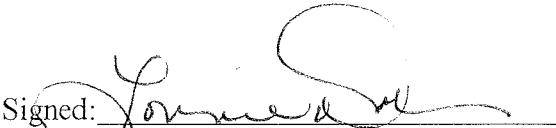
Newspaper: Tribune

Date of Publication: June 25, 2008

Hearing Date: July 8, 2008

Project: Amendment to Planned Development 06-025 and Tract 2980 (Regency Centers/Hwy 46 east and Golden Hill Road)

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

Signed: 
Lonnie Dolan

forms/newsaffi.691

**CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, July 8, 2008, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider the following projects:

1. Amendment to Planned Development 06-025: A request filed by Regency Centers to modify Conditions of Approval previously approved for a regional shopping center to be located north of Highway 46 East and Golden Hill Road which includes a 169,112 s.f home improvement and garden center; and several other retail buildings with a combined building square footage of approximately 105,000 s.f., and three restaurant pads. (APNs 025-391-037, -033, -039, -063, and -067).
2. Tract 2980 and Public Right-of-Way Abandonment: A request filed by Regency Centers located north of Highway 46 East and Golden Hill Road, to subdivide the property into 11 commercial parcels and abandon an existing public Right-of-Way that extends from Golden Hill Road onto the project site.

Written comments on the proposed Planned Development Amendment 06-025 and Tract 2980 and Right-of-Way Abandonment may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Susan DeCarli at (805) 237-3970 or send email to sdecarli@prcity.com.

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

Susan DeCarli, AICP
City Planner
June 25, 2008 6737726