

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PLANNED DEVELOPMENT 08-007 (JACK IN THE BOX)

DATE: NOVEMBER 12, 2008

Needs: To consider an application filed by Curt Pringle and Associates, requesting to construct a new 2,500 square foot drive through Jack-in-the-Box restaurant.

- Facts:
1. The project would be located at 2500 Golden Hill Road (see attached Vicinity Map).
 2. The approximate 30,000 square foot site has a General Plan Land Use designation of Community Service (CS). The Zoning designation is C3 (General Commercial). The site is located within Sub Area E of the Borkey Area Specific Plan (BASP).
 3. According to Table 21.16.200, Permitted Use Table, drive-through restaurants are permitted in the C3 zoning district.
 4. Highway oriented uses such as drive-through restaurants are anticipated within Sub Area E of the BASP.
 5. The project would be located on Parcel 12 of Parcel Map 04-0310. The subdivision is near completion, but has not been recorded yet, but is anticipated to be recorded soon.
 6. The project was reviewed by the Development Review Committee (DRC) at their meeting on August 4, 2008. The DRC recommended that there be a sidewalk connection from Golden Hill Road to the building, rather than having to walk around to the driveway. The updated plans showing the connection have been provided to the Commission and are part of this report.
 7. Three other issues were brought forward by the DRC: (1) ensuring that the trash enclosure is large enough to accommodate recycling; and (2) a recommendation that something other than sod is planted in the bio-swale in the front setback area & (3) adequate screening of the drive-through lane.

Conditions of approval have been added that requires the trash enclosure area to be enlarged to accommodate recycling containers. Additionally, a condition has been added that requires the final landscape plan to come back to the DRC with alternative landscaping other than, such as drought tolerant ground covers, shrubs and trees.

8. Regarding the drive-through lane screening, early in the review process staff requested that the landscape area between the drive-through lane and the sidewalk include berming to help screen the view of the cars from the street. The applicant's responded that this area will be landscaped, but berming would conflict with the vegetated swale that is designed for this area in order to comply with the low impact development requirements. Staff then suggested a short decorative masonry screen wall be constructed (similar to the wall the Commission required for the Jack in the Box restaurant in the Food 4 Less shopping center). The applicant's were not in favor of the wall, stating that a wall would be a maintenance problem and be susceptible to graffiti. It will be necessary for the Planning Commission to discuss the issue of screening the drive-through lane and to come up with an acceptable screening method.
9. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study and Mitigated Negative Declaration was prepared and circulated for public review and comment. Based on the information and analysis contained in the Initial Study (and comments and responses thereto), a determination has been made that the Jack-in-the-Box project qualifies for issuance of a Mitigated Negative Declaration.
10. The mitigation measures are related to traffic and air quality impacts. The traffic impacts will be mitigated through the payment of transportation impact fees prior to occupancy of the building. The air quality impacts include construction mitigation, as well as operational mitigations. The measures have been incorporated into the attached Resolution approving PD 08-007.
11. The signs proposed for the building include standard wall mounted signs as well as a 6-foot tall, 32-square foot monument sign. A highway oriented pole sign is not proposed with this project.

Analysis and

Conclusion: As a result of the proposed Jack-in-the-Box restaurant being a permitted use in the C3 zoning district, as well as being an anticipated use within Sub Area E of the BASP, the use would seem reasonable at the proposed location.

The General Plan describes the purpose of the Commercial Service (CS) land use category, is "to provide areas for highway-related, commercial services, and light industrial uses". Since a drive-through restaurant is a highway oriented use, this project would be consistent with the General Plan.

Policy

Reference: General Plan Land Use Element; General Plan Update EIR certified in 2003; Zoning Code and California Environmental Quality Act (CEQA), Borkey Area Specific Plan (BASP), Economic Strategy.

Fiscal

Impact: None

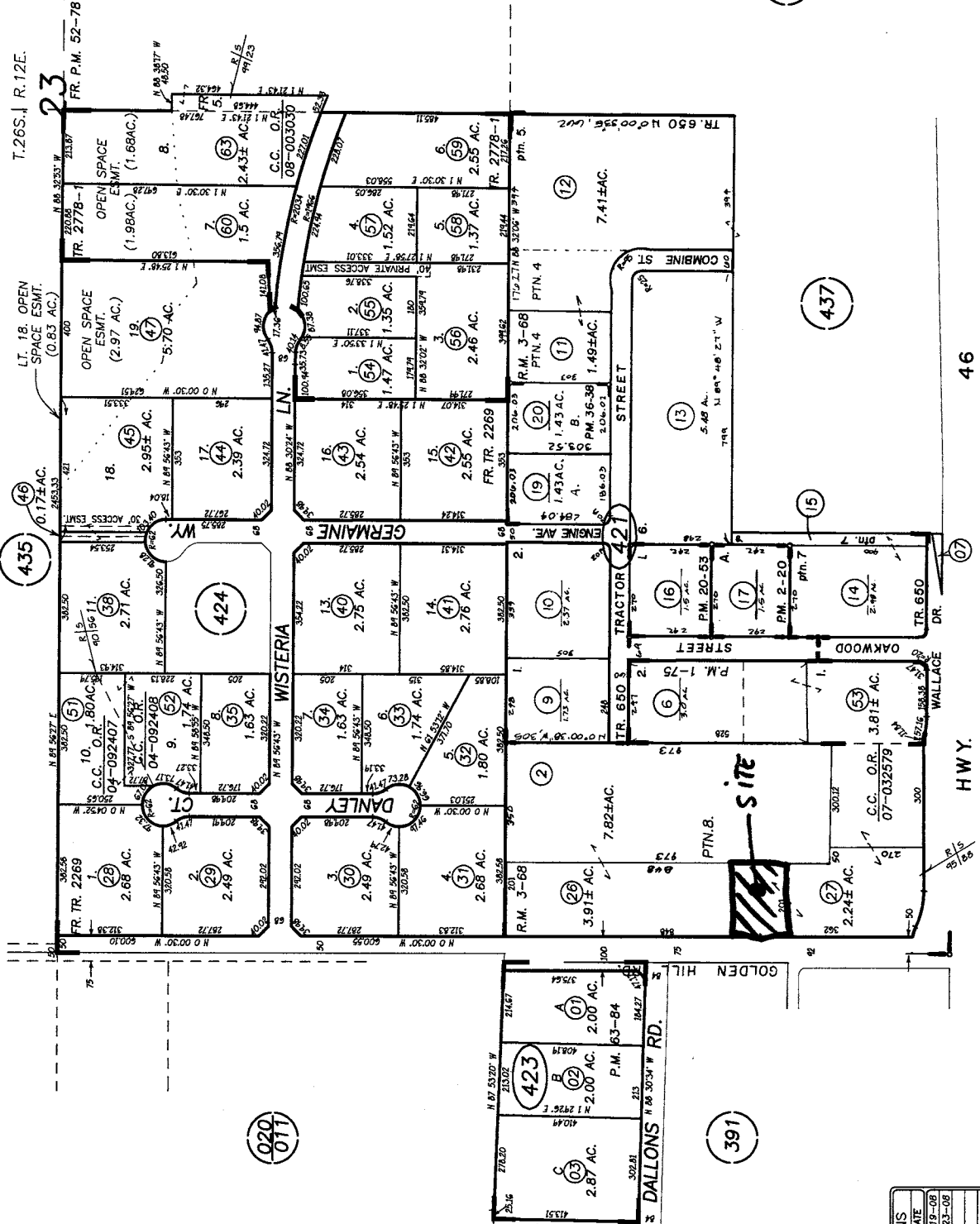
Options: After consideration of all public testimony, that the Planning Commission considers the following options:

- a.
 1. Adopt a Resolution approving a Mitigated Negative Declaration for the project;
 2. Adopt a Resolution adopting PD 08-007, subject to site specific and standard conditions of approval;
- b. Amend, modify or reject the foregoing option.

Attachments:

1. Vicinity Map
2. City Engineer Memo
3. Resolution approving a Mitigated Negative Declaration
4. Resolution approving PD 08-007
5. Newspaper and Mail Notice Affidavits

H:PD/PD08-007/JackintheBox/Staff Report



150' 0 300' 600'

LZ THIS MAP IS PREPARED FOR
08-28-97 ASSESSMENT PURPOSES ONLY.

REVISIONS	LS.	DATE
08-06-98	08-18-98	
14-	09-23-08	

TRACT NO. 2778-1, R.M. Bk. 30 , Pg. 67-68.
TRACT NO. 2269, R.M. Bk. 19 , Pg. 86.
TRACT NO. 650, R.M. Bk. 10 , Pg. 46.
OAKWOOD ORCHARD TRACT, R.M. Bk. 3 , Pg. 68.

Attachment 1
Vicinity Map
PD 08-007
2500 Golden Hill Road
(Jack in the Box)

CITY OF PASO ROBLES
ASSESSOR'S MAP, COUNTY OF
SAN LUIS OBISPO, CA.
BOOK 025 PAGE 421

MEMORANDUM

TO: Darren Nash
FROM: John Falkenstien
SUBJECT: PD 08-007 Jack N Box, Golden Hill Road
DATE: September 24, 2008

Traffic

I have reviewed the site plan, traffic study and Caltrans comments for the project. The development of the Jack N Box restaurant will incrementally affect operations on the intersection of Golden Hill Road and SR 46E, and will thereby affect overall operations of the highway. The improvement of the intersection of SR 46E and Golden Hill Road is necessary for the successful operation of the restaurant. This project should break ground soon in conjunction with the Regency development.

Caltrans is currently in the process of developing a Route 46E Comprehensive Corridor Study. The City is currently in the process of developing an updated traffic model with the intention of updating the Circulation Element of the General Plan. Once the documents referenced above have been endorsed and adopted by the City Council, transportation impact fees will be amended to reflect new improvement projects.

Fast food restaurants typically generate a high volume of traffic in relationship to the size of the store. Amended transportation impact fees may address this issue by basing the fees on criteria more reflective of the impact of the development.

Conditions

The Jack N Box restaurant will be conditioned to pay transportation development impact fees in effect at the time of occupancy. The calculation of the fees will not include consideration of fees currently in effect or those that may have been in effect at the time the entitlement application was made or in effect at the time of submittal of a building permit.

Improvements to Golden Hill Road and to the intersection of Golden Hill Road and SR 46E, as outlined on approved plans for the Regency Center, must be complete and in operation prior to occupancy of the proposed restaurant.

Attachment 2
City Engineer Memo
PD 08-007
2500 Golden Hill Road
(Jack in the Box)

RESOLUTION NO:

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING A MITIGATED NEGATIVE DECLARATION FOR
PLANNED DEVELOPMENT 08-007
(JACK IN THE BOX)
APN: 025-421-026

WHEREAS, Planned Development 08-007 has been filed by Curt Pringle & Associates for the construction of a 2,500 square foot drive-through fast food restaurant; and

WHEREAS, the project is located at 2500 Golden Hill Road; and

WHEREAS, the approximate 30,000 square foot site is zoned C3 (Commercial / Light-Industrial), and has a General Plan designation of CS, (Commercial Service); and

WHEREAS, the site is located within Sub Area E of the Borkey Area Specific Plan (BASP); and

WHEREAS, Section 21.23B, of the Zoning Code (Development Review) requires any project subject to environmental review in which a negative declaration is required, is subject to Planning Commission approval of a development plan (PD); and

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

WHEREAS, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed Project qualifies for adoption of a Mitigated Negative Declaration; and

WHEREAS, an Initial Study was prepared for this project (Attached as Exhibit A) which concludes and proposes that a Mitigated Negative Declaration be approved; and

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

WHEREAS, at its November 12, 2008 meeting, the Planning Commission held a duly noticed public hearing on the Project, to accept public testimony on the proposal including Planned Development 08-007; and

WHEREAS, based on the information contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the Planning Commission finds no substantial evidence that there would be a significant impact on the environment based on the attached Mitigation Agreement and mitigation measures described in the initial study and contained in the resolution approving PD 08-007 as site specific conditions summarized below.

Topic of Mitigation	Condition #
Air Quality	10
Traffic	12 &13

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, based on its independent judgment, to approve a Mitigated Negative Declaration for Planned Development 08-007 in accordance with the California Environmental Quality Act.

PASSED AND ADOPTED THIS 9th day of November 12, 2008, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN ED STEINBECK

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

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CITY OF PASO ROBLES – PLANNING DIVISION INITIAL STUDY

1. GENERAL PROJECT INFORMATION

PROJECT TITLE: Jack in the Box – PD 08-007

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

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

PROJECT LOCATION: 2500 Golden Hill Road (APN 025-421-026)

PROJECT PROPONENT: Applicant: Curt Pringle and Associates
2400 East Katella Ave, Ste 350, Anaheim, CA 92806

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

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

GENERAL PLAN DESIGNATION: Commercial Service (CS),

ZONING: Commercial/Light-Industrial (C3)

SPECIFIC PLAN AREA: Borkey Area Specific Plan (BASP)

2. PROJECT DESCRIPTION

Request to construct a 2,500 square foot Jack in the Box drive through restaurant with ancillary parking and landscaping areas.

An existing house, and detached shop building are currently located on the site. The structures would be removed (under a separate review and permit) to allow for the development of the restaurant project.

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

None.

4. EARLIER ENVIRONMENTAL ANALYSIS AND RELATED ENVIRONMENTAL DOCUMENTATION:

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

This site was included in an earlier environmental review process, where a Negative Declaration was approved for the commercial/industrial subdivision that created this lot (Tentative Parcel Map PR 04-0310, Resolution No. 04-0139).

5. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR THE PROJECT:

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

6. PURPOSES OF AN INITIAL STUDY

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

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

7. EXPLANATION OF ANSWERS FOUND ON THE ENVIRONMENTAL CHECKLIST FORM

A. Scope of Environmental Review

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

B. Evaluation of Environmental Impacts

1. A brief explanation is required for all answers to the questions presented on the following Environmental Checklist Form, except where the answer is that the proposed project will have “No Impact.” The “No Impact” answers are to be adequately supported by the information sources cited in the parentheses following each question or as otherwise explained in the introductory remarks. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A “No Impact” answer should be explained where it is based on project-specific factors and/or general standards. The basis for the “No Impact” answers on the following Environmental Checklist Form is explained in further detail in this Initial Study in Section 9 (Earlier Environmental Analysis and Related Environmental Documentation) and Section 10 (Context of Environmental Analysis for the Project).
2. All answers on the following Environmental Checklist Form must take into account the whole action involved with the project, including implementation. Answers should address off-site as well as on-

Initial Study-Page 2

site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. “Potentially Significant Impact” is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more “Potentially Significant Impact” entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. “Potentially Significant Impact Unless Mitigated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. Mitigation Measures from Section 9 (Earlier Environmental Analysis and Related Environmental Documentation) may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). See Section 4 (Earlier Environmental Analysis and Related Environmental Documentation) and Section 11 (Earlier Analysis and Background Materials) of this Initial Study.
6. References to the information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the Environmental Checklist Form. See Section 11 (Earlier Analysis and Related Environmental Documentation). Other sources used or individuals contacted are cited where appropriate.
7. The following Environmental Checklist Form generally is the same as the one contained in Title 14, California Code of Regulations; with some modifications to reflect the City’s needs and requirements.
8. Standard Conditions of Approval: The City imposes standard conditions of approval on Projects. These conditions are considered to be components of and/or modifications to the Project and some reduce or minimize environmental impacts to a level of insignificance. Because they are considered part of the Project, they have not been identified as mitigation measures. For the readers’ information, the standard conditions identified in this Initial Study are available for review at the Community Development Department.
9. Certification Statement: The statements made in this Initial Study and those made in the documents referenced herein present the data and information that are required to satisfy the provisions of the California Environmental Quality Act (CEQA) – Statutes and Guidelines, as well as the City’s Procedures for Implementing CEQA. Further, the facts, statements, information, and analysis presented are true and correct in accordance with standard business practices of qualified professionals with expertise in the development review process, including building, planning, and engineering.

8. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

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

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

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

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

Signature:

Date:

September 26, 2008

Darren Nash, Associate Planner

10 Environmental Checklist Form

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

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

Discussion: The proposed project will not conflict with the General Plan or zoning district since the proposed drive through restaurant is a permitted use in the C3 zoning district.

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

Discussion: The proposed project complies with the EIR recently certified for the City General Plan Update, 2003 and other adopted environmental policies that apply to this project.

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

Discussion: The drive through fast food restaurant use is permitted in this zone and is consistent with other highway oriented uses in the vicinity of Golden Hill Road and Highway 46 East, therefore the use would be compatible with land uses in the vicinity.

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

Discussion: The project site is an urban infill property with no agricultural uses, resources or operations on near the property.

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

Discussion: The project site is located in an entirely non-residential area, thus it could not obstruct or divide an established community.

II. POPULATION AND HOUSING. Would the proposal:

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

Discussion: The development of the commercial project could not affect an increase in population.

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

Discussion: The site is accessed from an existing road (Golden Hill Road), and there is water, sewer and utility services already available along the project's frontage. Therefore, the project would not extend infrastructure and induce growth.

10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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| c) Displace existing housing, especially affordable housing?
(Sources: 1, 3, & 5) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The existing single family house is not considered affordable housing, and since the house is an existing non-conforming use would not be an impact.

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

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| a) Fault rupture? (Sources: 1, 2, & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The potential for and mitigation of impacts that may result from fault rupture in the project area are identified and addressed in the General Plan EIR, pg. 4.5-8. There are two known fault zones on either side of this valley. The Rinconada Fault system runs on the west side of the valley. The San Andreas Fault is on the east side of the valley and runs through the community of Parkfield east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the Uniform Building Code to all new development within the City. Review of available information and examinations indicate that neither of these faults is active with respect to ground rupture in Paso Robles. Soils reports and structural engineering in accordance with local seismic influences would be applied in conjunction with any new development proposal. Based on standard conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant. In addition, per requirements of the Alquist-Priolo Earthquake Fault Zones, only structures for human habitation need to be setback a minimum of 50 feet of a known active trace fault.

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| b) Seismic ground shaking? (Sources:1, 2, & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The City is located within an active earthquake area that could experience seismic ground shaking from the Rinconada and San Andreas Faults. The proposed structure will be constructed to current UBC codes. The General Plan EIR identified impacts resulting from ground shaking as less than significant and provided mitigation measures that will be incorporated into the design of this project including adequate structural design and not constructing over active or potentially active faults.

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| c) Seismic ground failure, including liquefaction?
(Sources: 1, 2 & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: Per the General Plan EIR, the project site is located in an area with soil conditions that have a potential for liquefaction or other type of ground failure due to seismic events due to soil conditions. The EIR identifies measures to reduce this potential impact, which will be incorporated into this project. This includes a requirement to conduct a site-specific analysis of liquefaction potential. Based on analysis results, the project design and construction will include specific design requirements to reduce the potential impacts on structures due to liquefaction to a less than significant level.

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| d) Seiche, tsunami, or volcanic hazard? (Sources: 1, 2, & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| e) Landslides or Mudflows? (Sources: 1, 2, & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: d. and e. The project site is not located near bodies of water or volcanic hazards, nor is the site located in an area subject to landslides or mudflows.

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| f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: 1, 2, 3, & 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: Per the General Plan EIR the soil condition is not erosive or otherwise unstable. As such, no significant impacts are anticipated.

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| g) Subsidence of the land? (Sources: 1, 2, & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: See Item c.

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|----------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| h) Expansive soils? (Sources: 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Not applicable.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i) Unique geologic or physical features? (Sources: 1 & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: There are no unique geologic or physical features on or near the project site.

IV. WATER. Would the proposal result in:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Items a: The development of the site will be done in a manner that meets the engineering standards for drainage and runoff, as well as incorporate low impact design measures to maintain run-off from impervious surfaces on site. Therefore, the project will not result in changes in absorption rates, drainage patterns, or the rate and amount of surface runoff.

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| b) Exposure of people or property to water related hazards such as flooding? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: There is no potential to expose people or property to water related hazards due to this project since it is not in a flood zone.

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| c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See a. above.

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| d) Changes in the amount of surface water in any water body? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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(Sources: 1, 3, & 7)

Discussion: There is no water body on or near the project site, and the site will not drain to surface waters.

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| e) Changes in currents, or the course or direction of water movement? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: This project could not result in changes in currents or water movement since there is no water course in the vicinity that could be affected by this project.

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| f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? (Sources: 1,3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The difference in the water usage between the existing residence and the proposed restaurant project is not anticipated to be a significant impact. Additionally, this project will not directly withdraw water from the ground water aquifer, and will be designed to provide on-site water retention in landscape areas.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Altered direction or rate of flow of groundwater? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) Impacts to groundwater quality? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project will not affect groundwater quality since this project does not directly extract groundwater or otherwise affect these resources. Additionally, implementation of low impact development standards will clean or treat water impurities from this site before it gets into groundwater, in compliance with RWQCB & NEPDES storm water requirements.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Refer to response f.

V. AIR QUALITY. Would the proposal:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion: The demolition of structures will need to obtain applicable permits and comply with site disturbance regulations from the San Luis Obispo County Air Pollution Control District in compliance with the Districts demo regulations per the adopted Clean Air Plan prior to commencing activities.

10 Environmental Checklist Form

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

Regarding the construction and operations of the new facility, the San Luis Obispo County Air Pollution Control District has reviewed the project (See APCD letter dated July 22, 2008, attachment C). Based on the type of use, and trip generation criteria the following mitigation measures are necessary in order to bring the project impacts to air quality to a less than significant level. With the following mitigation measures applied to the project, impacts to air quality from this project will be less than significant:

Dust Control Measures

The project as described in the referral will not likely exceed the APCD’s CEQA significance threshold for construction phase emissions. However, 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. **APCD staff recommend the following measures be incorporated into the project to control dust:**

- Reduce the amount of the disturbed area where possible;
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- All dirt stock-pile areas should be sprayed daily as needed; and,
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

Construction Permit Requirements

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

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater; and
- IC engines.

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

OPERATIONAL PHASE MITIGATION

Nitrogen Oxide and Reactive Organic Gas Mitigation

APCD staff has determined the operational impacts of this development through the use of the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project’s land uses. The results of the model using conservative County average trip distances demonstrated that the operational impacts will likely exceed the APCD’s CEQA Tier I significance threshold value of 10 lbs/day for the criteria air pollutants nitrogen oxides (NOx) and reactive organic gases (ROG); 22 lbs/day NOx and 15 lbs/day ROG).

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

Standard Measures (Include all standard mitigation measures below)

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.

10 Environmental Checklist Form

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

- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- Provide preferential carpool and vanpool parking spaces.
- Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.

Discretionary Measures (Include at least 10 of the following)

Site Design Mitigation for this Commercial Project

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

Transportation Demand Mitigation

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.
- Increase the quality of existing bicycle routes/lanes or add bicycle routes/lanes which access the project.
- Implement compressed work schedules.

Energy Efficiency Measures: Green House Gas mitigation listed below requires a 20% efficiency improvement over Title 24 standard. Potential Energy Efficiency Measures are listed below. If these measures are used to achieve the 20% improvement over Title 24 for GHG mitigation, they can not be counted for energy efficiency measures for NOx and ROG mitigation.

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

Greenhouse Gas Impacts and Mitigation

In 2006, the California State Legislature adopted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires the California Air Resources Board (CARB), the State agency charged with regulating statewide air quality, to adopt rules and regulations that would achieve greenhouse gas emissions equivalent to statewide levels in 1990 by 2020. Carbon dioxide (CO2) is the most dominant greenhouse gas, making up approximately 84% of all greenhouse gases (GHGs). Fossil fuel combustion is responsible for 97% of all CO2 emissions worldwide; thus, reducing fossil fuel combustion is essential to solving this problem.

*On June 19, 2008, the California Office of Planning and Research (OPR) released a Technical Advisory titled CEQA and Climate Change: Addressing Climate Change Through CEQA Review (<http://opr.ca.gov/index.php?a=ceqa/index.html>). In this document OPR verifies that GHG emissions are appropriate subjects for CEQA analysis that should be evaluated even without the presence of established thresholds. Further OPR establishes that lead agencies must assess whether emissions are individually or cumulative significant. **The APCD suggests that lead agencies become familiar with the recommendations outlined in this Technical Advisory and ensure that projects subject to CEQA quantify GHG emissions and implement feasible mitigation.***

The APCD staff considered the operational GHG impact of the proposed Jack in the Box with drive-through restaurant
Initial Study-Page 10

10 Environmental Checklist Form

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

by running the URBEMIS2007. This analysis indicated that operational phase impacts of the GHG CO2 emissions will be approximately 8,350 pounds per day or 1,382 metric tons per year. **The APCD recommends the implementation of feasible mitigation measures to minimize project related GHG impacts.**

- Reconsider drive-thru application
- Post “no-idling” restriction notices at several locations in the drive-through queue;
- Make safe walking or bicycling connectivity to/from and on the site;
- Improve nearby transit amenities (e.g. bus stop smart signs);
- Implement green building techniques such as:
 - Building positioning and engineering that eliminate or minimize the development’s active heating and cooling needs;
 - Implement solar systems to reduce energy needs;
 - Increase the building energy efficiency rating by 20% above what is required by Title 24 requirements.
 - Plant native shade trees along southern exposures of buildings to reduce summer cooling needs;
 - Plant native, drought resistant landscaping;
 - Use locally or nearby produced building materials;
 - Use renewable or reclaimed building materials;
 - Install outdoor electrical outlets to encourage the use of electric appliances and tools; and
 - Include teleconferencing capabilities, such as web cams or satellite linkage, which will allow employees to attend meetings remotely without requiring them to travel out of the area.

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

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

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

Discussion: This project does not have the potential to significantly alter air movement, moisture, or temperature.

d) Create objectionable odors?

Discussion: This project does not have the potential to create objectionable odors.

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

10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	Potentially Significant	No Impact
a) Increased vehicle trips or traffic congestion? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion: A Traffic Study was prepared by Associated Transportation Engineers (ATE) on February 18, 2008 to study the traffic and circulation affects of the proposed restaurant on the Golden Hill Road corridor.

The City Engineer reviewed the ATE traffic study and provided the following determinations and conclusions:

The development of the Jack in the Box restaurant will incrementally affect operations on the intersection of Golden Hill Road and SR 46E, and will thereby affect overall operations of Highway 46 East. The improvement of the intersection of SR 46E and Golden Hill Road is necessary for the successful operation of this restaurant.

Caltrans is currently in the process of developing a Route 46E Comprehensive Corridor Study. The City is currently in the process of developing an updated traffic model with the intention of updating the Circulation Element of the General Plan. Once the documents referenced above have been adopted by the City Council, transportation impact fees will be amended to reflect new improvement projects which will mitigate traffic impacts from development in the project vicinity, including this project.

Fast food restaurants typically generate a high volume of traffic in relationship to the size of the store. Amended transportation impact fees may address this issue by basing the fees on criteria more reflective of the impact of the types of development.

The Jack in the Box restaurant will be conditioned to pay transportation development impact fees in effect at the time of occupancy. These fees will be based on the results of the studies and improvements noted above. The calculation of the fees will not include consideration of fees currently in effect or those that may have been in effect at the time the entitlement application was made or in effect at the time of submittal of a building permit.

Improvements to Golden Hill Road and to the intersection of Golden Hill Road and SR 46E, as outlined on approved plans for the Regency Center, must be complete and in operation prior to occupancy of the proposed restaurant.

In order to adequately mitigate it's traffic related impacts to a level of less than significant, the following mitigation measures need to be applied to this project:

Mitigation Measures:

T-1 The Jack in the Box restaurant shall pay transportation development impact fees in effect at the time of the Building Departments issuance of a Certificate of Occupancy. The calculation of the fees will not include consideration of fees currently in effect or those that may have been in effect at the time the entitlement application was made or in effect at the time of submittal of a building permit.

T-2 Improvements to Golden Hill Road and to the intersection of Golden Hill Road and SR 46E, as outlined on approved plans for the Regency Center (PD 06-015) located across the street, must be complete and in operation prior to occupancy of the proposed restaurant.

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

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: The proposed project does not include road improvements that may result in safety hazards or in incompatible uses.

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

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

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

Discussion: The project has been designed to exceed the Zoning Code requirement of 25 on-site parking spaces.

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

Discussion: The project does not propose hazards or barriers for pedestrians or bicyclists.

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

Discussion: The project would not conflict with or otherwise affect adopted policies supporting alternative transportation. The bus turn-out is located within 600 feet of the project site on Dallons Road, and the site plan includes a bike rack for 6 bikes.

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

Discussion: The project could not affect rail, waterborne or air traffic.

BIOLOGICAL RESOURCES. Would the proposal result in impacts to:

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

Discussion: There are no endangered, threatened or rare species or their habitats located on the project site. Thus, there could not be potential impacts to endangered, threatened or rare species or their habitats. It is a previously disturbed site, and is an urban infill property.

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

Discussion: There are no locally designated species, including oak trees on the project site.

10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? <i>Discussion: See item b. above.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Wetland habitat (e.g., marsh, riparian and vernal pool)? <i>Discussion: There are no wetland habitats on or near the project site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Wildlife dispersal or migration corridors? <i>Discussion: The site is not part of a wildlife dispersal or migration corridor.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:

a) Conflict with adopted energy conservation plans? (Sources: 1 & 7) <i>Discussion: This project could not conflict with adopted energy conservation plans.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Use non-renewable resources in a wasteful and inefficient manner? (Sources: 1 & 7) <i>Discussion: The project will not use non-renewable resource in a wasteful and inefficient manner, and building construction will comply with Title 24 energy conservation requirements..</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? (Sources: 1 & 7) <i>Discussion: The project is not located in an area of a known mineral resources that would be of future value to the region and the residents of the State.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HAZARDS. Would the proposal involve:

a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)? <i>Discussion: The project will not result in a risk of accidental explosion or release of hazardous substances since demolition project do not generally uses these types of substances. The applicant will need to comply with SLOAPCD regulations regarding asbestos removal should this material be encountered in the structures. Therefore, impacts resulting from potential release of hazardous materials will be less than significant.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Possible interference with an emergency response plan or emergency evacuation plan? (Sources: 1 & 7)

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

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

Discussion: see a. above.

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

Discussion: The project site is not located in an area with the potential for increased fire hazards.

X. NOISE. Would the proposal result in:

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

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

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

The project site is not located in the vicinity where it would expose people to severe noise levels.

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

- a) Fire protection? (Sources: 1, 3, 6, & 7)

- b) Police Protection? (Sources: 1, 3, & 7)

- c) Schools? (Sources: 1, 3, & 7)

- d) Maintenance of public facilities, including roads? (Sources: 1, 3, & 7)

- e) Other governmental services? (Sources: 1,3, & 7)

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

10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

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

Discussion: a.-g. The project will not result in the need for new systems or supplies, or result in substantial alterations to utilities and service systems. The applicant will mitigate solid waste disposal by recycling building materials to the extent feasible, per mitigation measures.

XIII. AESTHETICS. Would the proposal:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Affect a scenic vista or scenic highway? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a demonstrable negative aesthetic effect?
(Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Create light or glare? (Sources: 1, 3, 7, & 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The project is not located in a scenic vista or scenic highway area.

Discussion: The project has been designed to be similar in architecture and materials to buildings that have been previously approved by the Planning Commission for the Regency Center located across Golden Hill Road, therefore it would not have a negative effect.

Discussion: Light cut-sheets have been provided with the project that indicate the use of shielded exterior light fixtures that will not create off-site light and glare.

10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIV. CULTURAL RESOURCES. Would the proposal:

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

Discussion: a.-b. The project site is not located in an area with know paleontological or archaeological resources. If these types of resources are found during grading and excavation, appropriate procedures will be followed including halting activities and contacting the County Coroner, and follow standard mitigation procedures.

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

Discussion: The development of this project would not affect historic resources, since the existing house and detached shop building would not be considered historically or architecturally significant.

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

Discussion: See c. above.

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

Discussion: Discussion: There are no known religious or sacred uses on or near the project site.

XV.RECREATION. Would the proposal:

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

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

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

Discussion: The project will not affect existing recreational opportunities.

10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI MANDATORY FINDINGS OF SIGNIFICANCE.				
<p>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Sources: 1 & 3)</p> <p><i>Discussion: The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
← --- Formatted: Bullets and Numbering				
← --- Formatted: Bullets and Numbering				
<p>b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals? (Sources: 1 & 3)</p> <p><i>Discussion: The project will not likely have a potential to achieve short-term, to the disadvantage of long-term environmental goals.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
← --- Formatted: Bullets and Numbering				
<p>e) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Sources: 1 & 3)</p> <p><i>Discussion: The project will not result in significant cumulative impacts.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
← --- Formatted: Bullets and Numbering				
<p>d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1 & 3)</p> <p><i>Discussion: The project will not result in substantial adverse environmental impacts on human beings, either directly or indirectly.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
← --- Formatted: Bullets and Numbering				

11. EARLIER ANALYSIS AND BACKGROUND MATERIALS

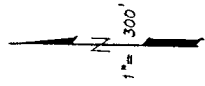
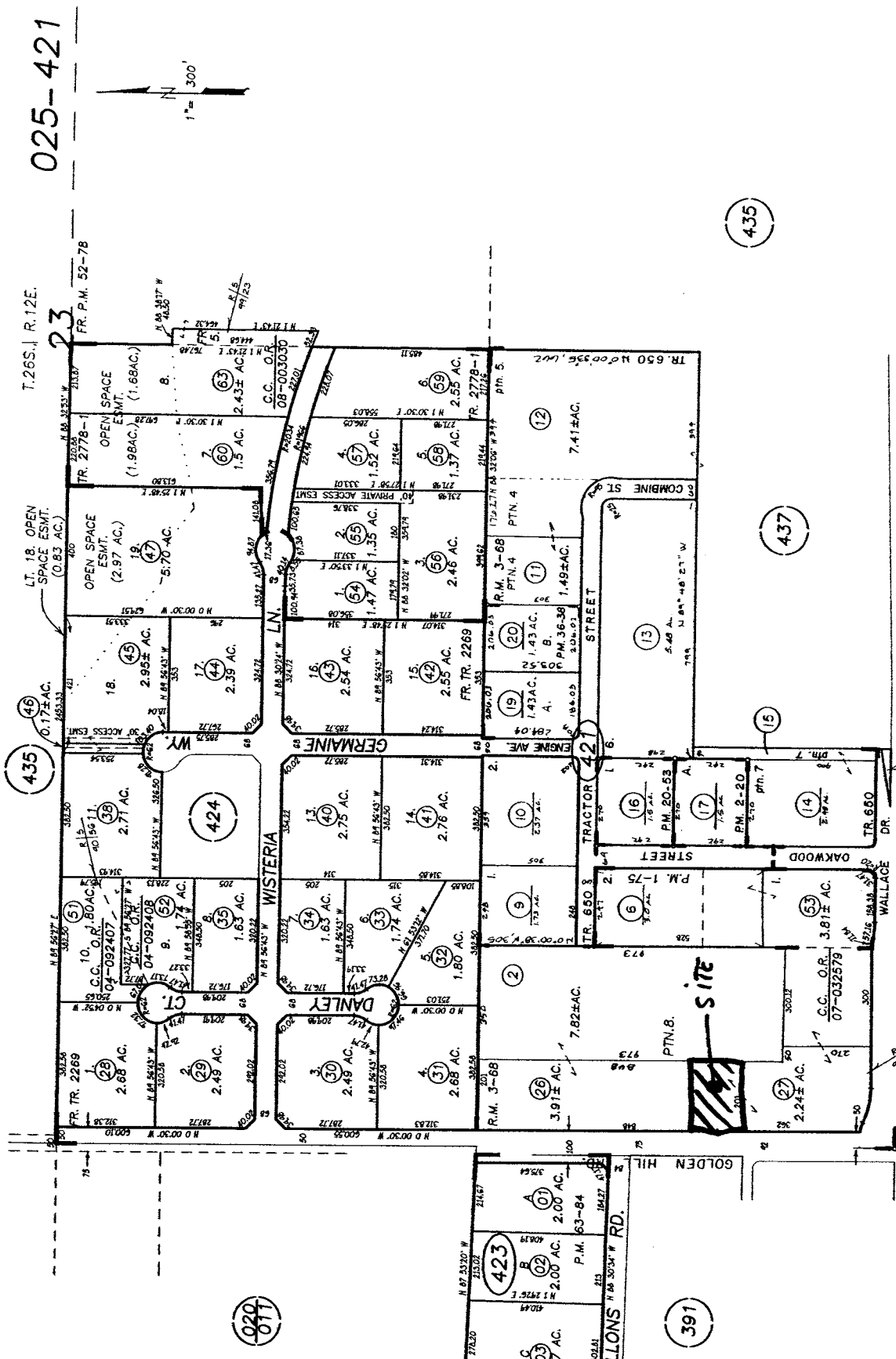
Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). The earlier documents that have been used in this Initial Study are listed below.

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

Attachments:

- A – Vicinity Map
- B – Site Plan
- C – APCD Letter - 7/22/08
- D – ATE Traffic Study – 2/28/08
- E – Caltrans letter – 9/18/08

T.26S., R.12E.



REVISIONS	
NO.	DATE
09-059	05-19-09
NA	06-23-08

150' 0 300' 600'

L7 THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY. 08-29-97

TRACT NO. 2778-1, R.M. Bk. 30 , Pg. 67-68.
 TRACT NO. 2269, R.M. Bk. 19 , Pg. 88.
 TRACT NO. 650, R.M. Bk. 10 , Pg. 46.
 OAKWOOD ORCHARD TRACT, R.M. Bk. 3 , Pg. 68.

Exhibit A
 Vicinity Map
 PD 08-007
 2500 Golden Hill Road
 (Jack in Box)

CITY OF PASO ROBLES
 ASSESSOR'S MAP, COUNTY OF
 SAN LUIS OBISPO, CA
 BOOK 025 PAGE 421


PROJECT DATA

LOCATION: JACK IN THE BOX /
 1830 BALBOA AVENUE
 SAN DIEGO, CA 92103
 DATE: ALL 31 2016
 RELEASE: PA/UR ONLY SET 18 2017
 PERMITS: CONSTRUCTION
 DRAWN BY: V.A.J. BROTTL
 SCALE:

PARKING REQUIREMENTS

THE PARKING REQUIREMENTS FOR THIS PARCEL ARE AS FOLLOWS:
 1 SPACE/100 S.F. DENSE AREA
 2 SPACES
 23 SPACES AND 3 RV SPACES ADDITIONAL WITHIN
 PROPOSED PARCEL, PLUS 11 ADDITIONAL SPACES.

PREPARED BY


LYONS WARREN
 18450 SAN DIEGO AVENUE
 SAN DIEGO, CA 92128
 TEL: 619.444.1111
 WWW.LYONSWARREN.COM

OWNER:

Jack in the Box
 1830 Balboa Ave
 San Diego, CA 92103

APPLICANT:

Carl Perry & Associates
 1830 Balboa Ave
 San Diego, CA 92103

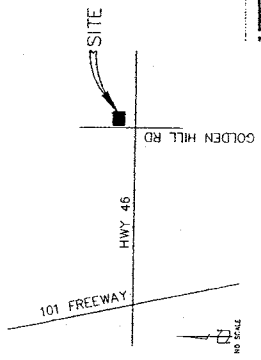
LEGEND


-  INDICATES LANDSCAPE AREAS
-  INDICATES CONCRETE AREAS


NOTES:

1. THIS PARCEL IS SUBJECT TO A PRELIMINARY PLANNING PERMIT (PPP) AND A PRELIMINARY DEVELOPMENT PERMIT (PDP) FOR THE PROPOSED DEVELOPMENT. THE PPP AND PDP ARE SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY OF SAN DIEGO PLANNING AND DEVELOPMENT DEPARTMENT.
2. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE CITY OF SAN DIEGO PLANNING AND DEVELOPMENT DEPARTMENT'S REVIEW AND APPROVAL. THE DEVELOPMENT IS SUBJECT TO THE CITY OF SAN DIEGO PLANNING AND DEVELOPMENT DEPARTMENT'S REVIEW AND APPROVAL.
3. SITE LIES IN FLOOD ZONE C AS SHOWN ON THE CITY OF SAN DIEGO FLOOD ZONE MAP. THE DEVELOPER SHALL OBTAIN A LETTER FROM THE CITY OF SAN DIEGO FLOOD CONTROL DEPARTMENT.

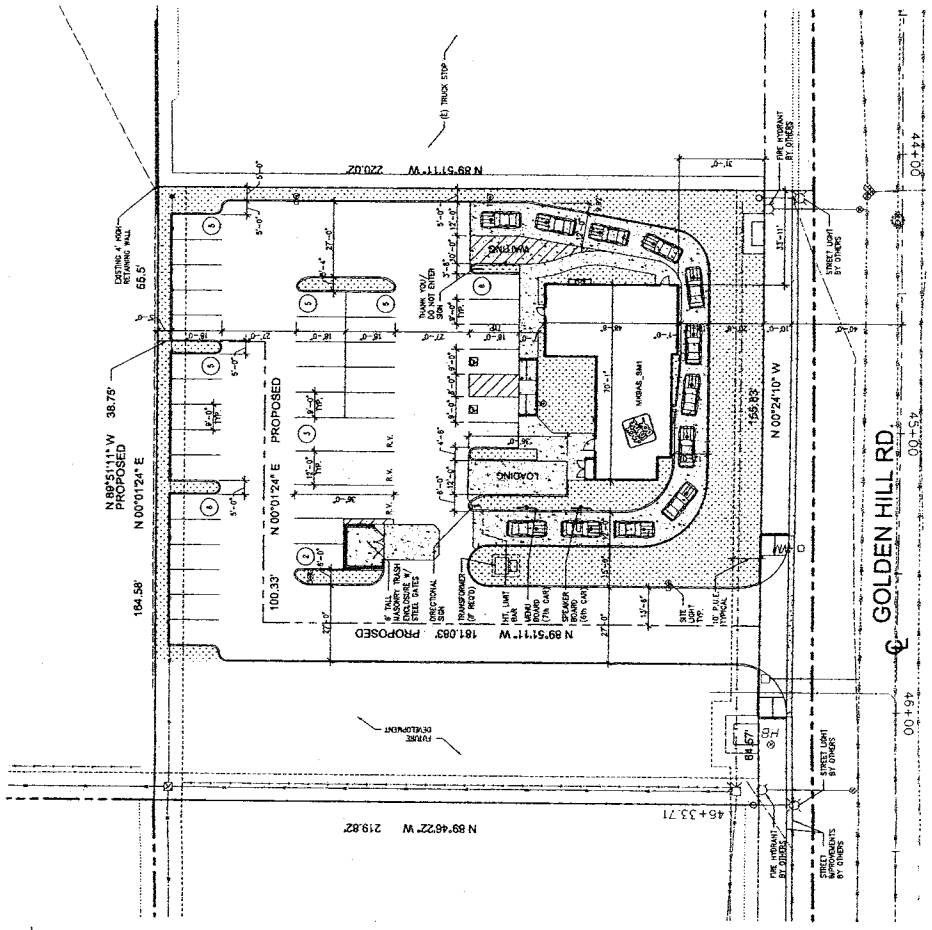
VICINITY MAP




 ARCHITECTURE ASSOCIATES
 1830 BALBOA AVENUE
 SAN DIEGO, CA 92103
 © 1999 Jack in the Box Inc.
 All rights reserved. This drawing is the property of Architecture Associates and shall remain confidential.


LYONS WARREN
 18450 SAN DIEGO AVENUE
 SAN DIEGO, CA 92128
 TEL: 619.444.1111
 WWW.LYONSWARREN.COM

SITE PLAN
SD1.0





0' 5' 10" 20'

 GRAPHIC SCALE: 1" = 20'
SITE PLAN
 SCALE: 1" = 20'
 NORTH

Exhibit B
Site Plan
PD 08-007
2500 Golden Hill Road
(Jack in Box)



**AIR POLLUTION
CONTROL DISTRICT**
COUNTY OF SAN LUIS OBISPO

RECEIVED
JUL 24 2008
Engineering Division

July 22, 2008

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

SUBJECT: APCD Comments Regarding the Proposed Paso Robles Jack in the Box with Drive-Through (PD 08-007)

Dear Mr. Nash,

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project that would construct a 2,500 square foot Jack in the Box restaurant with a drive-through on a commercial parcel, located at Golden Hill Road north of Highway 46 in Paso Robles. A home and garage on the existing site are proposed to be demolished. *The following are APCD comments that are pertinent to this project.*

GENERAL COMMENTS

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

SPECIFIC COMMENTS

The SLO County APCD supports Smart Growth principles that reduce dependency on vehicle use and promote transit oriented design such as compact, mixed-use developments within urban reserve lines (URL). This type of development allows residents to work, shop, and recreate within the community that they live thus reducing vehicle dependency and emissions. Mobile sources account for over 50% of our county's air pollution. While the proposed Jack in the Box with drive-through restaurant is inside the Paso Robles URL, drive through facilities expand vehicle dependency, increase the use of fossil fuel and the associated greenhouse gas emissions, and are contrary to Smart Growth principles. **The APCD does not support drive-through facilities. Should this project move forward, the following mitigation measures need to be implemented.**

CONSTRUCTION PHASE MITIGATION

The APCD staff considered the construction impacts of this development and based on modeling calculations the construction phase impacts will likely be less than the APCD's CEQA significance threshold value of 2.5 tons per quarter or 4 acres of continuously worked area. Therefore, **with the exception of the requirements below, construction phase mitigation measures for this project are not required.**

3433 Roberto Court • San Luis Obispo, CA 93401 •
info@slocleanair.org ❖ www.slo

Exhibit C
APCD Letter
PD 08-007
2500 Golden Hill Road
(Jack in Box)

Developmental Burning

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

Demolition Activities

The project referral indicated that there are existing structures on the proposed site that will be demolished. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Enforcement Division at 781-5912 for further information.

Dust Control Measures

The project as described in the referral will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, 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. **APCD staff recommend the following measures be incorporated into the project to control dust:**

- Reduce the amount of the disturbed area where possible;
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- All dirt stock-pile areas should be sprayed daily as needed; and,
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used

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

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater; and
- IC engines.

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

OPERATIONAL PHASE MITIGATION

Nitrogen Oxide and Reactive Organic Gas Mitigation

APCD staff has determined the operational impacts of this development through the use of the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. The results of the model using conservative County average trip distances demonstrated that the operational impacts will likely exceed the APCD's CEQA Tier I significance threshold value of 10 lbs/day for the criteria air pollutants nitrogen oxides (NOx) and reactive organic gases (ROG); 22 lbs/day NOx and 15 lbs/day ROG).

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

Standard Measures (Include all standard mitigation measures below)

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- Provide preferential carpool and vanpool parking spaces.
- Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.

Discretionary Measures (Include at least 10 of the following)

Site Design Mitigation for this Commercial Project

- Increase street shade tree planting.
- Increase shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- Provide on-site banking (ATM).
- Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment with designated walkways.

- Provide pedestrian signalization and signage to improve pedestrian safety.

Transportation Demand Mitigation

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.
- Increase the quality of existing bicycle routes/lanes or add bicycle routes/lanes which access the project.
- Implement compressed work schedules.

Energy Efficiency Measures: Green House Gas mitigation listed below requires a 20% efficiency improvement over Title 24 standard. Potential Energy Efficiency Measures are listed below. If these measures are used to achieve the 20% improvement over Title 24 for GHG mitigation, they can not be counted for energy efficiency measures for NOx and ROG mitigation.

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

Greenhouse Gas Impacts and Mitigation

In 2006, the California State Legislature adopted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires the California Air Resources Board (CARB), the State agency charged with regulating statewide air quality, to adopt rules and regulations that would achieve greenhouse gas emissions equivalent to statewide levels in 1990 by 2020. Carbon dioxide (CO₂) is the most dominant greenhouse gas, making up approximately 84% of all greenhouse gases (GHGs). Fossil fuel combustion is responsible for 97% of all CO₂ emissions worldwide; thus, reducing fossil fuel combustion is essential to solving this problem.

On June 19, 2008, the California Office of Planning and Research (OPR) released a Technical Advisory titled *CEQA and Climate Change: Addressing Climate Change Through CEQA Review* (<http://opr.ca.gov/index.php?a=ceqa/index.html>). In this document OPR verifies that GHG emissions are appropriate subjects for CEQA analysis that should be evaluated even without the presence of established thresholds. Further OPR establishes that lead agencies must assess whether emissions are individually or cumulative significant. **The APCD suggests that lead agencies become familiar with the recommendations outlined in this Technical Advisory**

and ensure that projects subject to CEQA quantify GHG emissions and implement feasible mitigation.

The APCD staff considered the operational GHG impact of the proposed Jack in the Box with drive-through restaurant by running the URBEMIS2007. This analysis indicated that operational phase impacts of the GHG CO2 emissions will be approximately 8,350 pounds per day or 1,382 metric tons per year. **The APCD recommends the implementation of feasible mitigation measures to minimize project related GHG impacts.**

- Reconsider drive-thru application
- Post “no-idling” restriction notices at several locations in the drive-through queue;
- Make safe walking or bicycling connectivity to/from and on the site;
- Improve nearby transit amenities (e.g. bus stop smart signs);
- Implement green building techniques such as:
 - Building positioning and engineering that eliminate or minimize the development’s active heating and cooling needs;
 - Implement solar systems to reduce energy needs;
 - Increase the building energy efficiency rating by 20% above what is required by Title 24 requirements.
 - Plant native shade trees along southern exposures of buildings to reduce summer cooling needs;
 - Plant native, drought resistant landscaping;
 - Use locally or nearby produced building materials;
 - Use renewable or reclaimed building materials;
 - Install outdoor electrical outlets to encourage the use of electric appliances and tools; and
 - Include teleconferencing capabilities, such as web cams or satellite linkage, which will allow employees to attend meetings remotely without requiring them to travel out of the area.

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

Sincerely,



Andy Mutziger
Air Quality Specialist

AJM/arr

cc: Colin Weyrick, Applicant
Karen Brooks, Enforcement Division, APCD
Tim Fuhs, Enforcement Division, APCD
Gary Willey, Engineering Division, APCD

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TTY 711
<http://www.dot.ca.gov/dist05>



*Flex your power!
Be energy efficient!*

September 18, 2008

Mr. Darren Nash, Associate Planner
Community Development Department
City of El Paso De Robles
1000 Spring Street
Paso Robles, Ca 93446

Dear Mr. Nash:

PASO ROBLES MOTORCOACH RESORT/JACK IN THE BOX RESTAURANT

Recently, I had a conversation with Mr. John Falkenstien of your staff regarding the above referenced developments. We discussed the efficacy of requiring more traffic studies for small to medium size projects given what we already know about the transportation challenges that exist in this area of your City. You are probably aware that at this time there is a multi agency effort underway that is addressing transportation issues in your community. This effort, known as the *Route 46 East Comprehensive Corridor Study* (46 CCS), will establish a joint vision for the transportation needs of the five mile long corridor between Rte 101 and Jardine Road. The document is not complete but should be available for City staff to review in approximately two weeks. I can tell you that some of its findings will address local circulation improvements in the vicinity of the Golden Hill Road/Route 46 Intersection. They include ideas that would improve local street connectivity and would provide travel choices for the employees and patrons of local businesses and may even help reduce congestion on Route 46.

Examples of these ideas are the construction of new creek crossings and the extension and improvement of Golden Hill Road and Dry Creek Road. In short, the 46CCS will identify these and other improvements and package them with State Highway improvements. After this study is completed, the logical next step would be to integrate its findings into other planning documents (i.e. CSMP, Circulation Element, RTP, SLO County Infrastructure Update).

While it may be necessary to conduct additional traffic studies and operational analyses in the future, it is the Department's position that what is presently needed is an impact fee program that begins to substantially address these improvements.

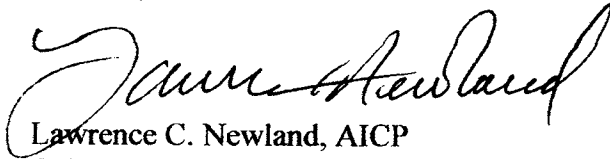
"Caltrans improves mobility across California"

Exhibit E
Caltrans Letter
PD 08-007
2500 Golden Hill Road
(Jack in Box)

Darren Nash
September 19, 2008
Page 2

Therefore, rather than itemize the pros and cons of various separate traffic analyses, District staff would like to support the City's effort to collect appropriate traffic impact fees to fund improvements that will be needed. I look forward to working with you and other City staff on this and encourage you to contact me at (805) 549-3103 if you have questions or want to discuss this issue further.

Sincerely,

A handwritten signature in cursive script that reads "Lawrence C. Newland". The signature is written in black ink and is positioned above the printed name.

Lawrence C. Newland, AICP
Caltrans District 5
Transportation Planning Branch Chief, South

RESOLUTION NO.:

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING PLANNED DEVELOPMENT 08-007
(JACK IN THE BOX)
APN: 025-421-026

WHEREAS, Planned Development 08-007 has been filed by Curt Pringle & Associates for the construction of a 2,500 square foot drive-through fast food restaurant; and

WHEREAS, the project is located at 2500 Golden Hill Road; and

WHEREAS, the approximate 30,000 square foot site is zoned C3 (Commercial / Light-Industrial), and has a General Plan designation of CS, (Commercial Service); and

WHEREAS, the site is located within Sub Area E of the Borkey Area Specific Plan (BASP); and

WHEREAS, Section 21.23B, of the Zoning Code (Development Review) requires any project subject to environmental review in which a negative declaration is required, is subject to Planning Commission approval of a development plan (PD); and

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

WHEREAS, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed Project qualifies for adoption of a Mitigated Negative Declaration; and

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

1. The proposed Project will not be detrimental to the City's efforts to revitalize Downtown Paso Robles since the Project is not located in the downtown area and will provide a service for highway oriented travelers, which will not be detrimental to downtown revitalization;
2. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16A (Planned Development Overlay District Regulations) as follows:
 - A. The granting of the Planned Development (PD) will not adversely affect the policies, spirit and intent of the General Plan, applicable specific plans, the zoning code, and other adopted codes, policies and plans of the City. Rather, based on drive-through fast food restaurants being permitted in the C3 zone, encouraged in the CS land use designation and anticipated in Sub Area E of the Borkey Area Specific Plan, the project would be support City policies.

- B. The Project maintains and enhances the significant natural resources on the site. Since the site is flat, has no oak trees and previously had a single family dwelling with accessory buildings, the development of this project will not impact significant natural resources on this site.
- C. The Project is designed to be sensitive to, and blend in with, the character of the site and surrounding area. The architectural plans have been reviewed by the Development Review Committee (DRC) and ultimately the Planning Commission, where it has been concluded that the proposed project as designed (and conditioned) will blend in with the character of the site and surrounding area.
- D. The Project is consistent with the purpose and intent of the Planned Development Chapter of the Zoning Ordinance and the Project is not contrary to the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 08-007, subject to the following conditions:

PLANNING CONDITIONS:

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

EXHIBIT	DESCRIPTION
A	Standard Conditions
B	Site Plan
C	Grading Plan
D	Landscape Plan
E	Floor Plan
F	Exterior Elevations (West & South)
G	Exterior Elevations (East & North)
H	Trash Enclosure Plans
I	Color and Materials Board (on file in the Community Development Dept.)

- 2. This Development Plan for PD 08-007, allows for development and operation of a 2,500 square foot fast food restaurant with drive through lane.
- 3. This project approval shall expire on November 12, 2011 unless a time extension request is filed with the Community Development Department prior to expiration.
- 4. In conjunction with the submittal of the building plans, exterior light cut-sheets shall be provided for Staff review, to insure adequate shielding.
- 5. Prior to the issuance of a building permit, the final landscape plan shall be reviewed by the Development Review Committee (DRC).

6. The applicant shall submit a sign plans to be reviewed by the DRC. The applicant shall obtain required building permits for the signs prior to installation.
7. All roof mounted equipment shall be fully screened.
8. Prior to the issuance of a building permit, the applicant shall confirm with Paso Robles Waste Disposal that the proposed trash enclosure is designed large enough to incorporate all waste containers including recycling.
9. All signage shall comply with the City's Sign Ordinance, include any temporary signs (banners & inflatable signs) and window signage.
10. Air Pollution Control District Mitigation Measures:

Dust Control Measures

The project as described in the referral will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, 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. **APCD staff recommend the following measures be incorporated into the project to control dust:**

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

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater; and
- IC engines.

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

OPERATIONAL PHASE MITIGATION

Nitrogen Oxide and Reactive Organic Gas Mitigation

APCD staff has determined the operational impacts of this development through the use of the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. The results of the model using conservative County average trip distances demonstrated that the operational impacts will likely exceed the APCD's CEQA Tier I significance threshold value of 10 lbs/day for the criteria air pollutants nitrogen oxides (NOx) and reactive organic gases (ROG); 22 lbs/day NOx and 15 lbs/day ROG).

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Transportation Demand Mitigation

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- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs;
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- Use energy efficient interior lighting;
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The APCD staff considered the operational GHG impact of the proposed Jack in the Box with drive-through restaurant by running the URBEMIS2007. This analysis indicated that operational phase impacts of the GHG CO2 emissions will be approximately 8,350 pounds per day or 1,382 metric tons per year. **The APCD recommends the implementation of feasible mitigation measures to minimize project related GHG impacts.**

- Reconsider drive-thru application
- Post “no-idling” restriction notices at several locations in the drive-through queue;
- Make safe walking or bicycling connectivity to/from and on the site;
- Improve nearby transit amenities (e.g. bus stop smart signs);
- Implement green building techniques such as:
 - Building positioning and engineering that eliminate or minimize the development’s active heating and cooling needs;
 - Implement solar systems to reduce energy needs;
 - Increase the building energy efficiency rating by 20% above what is required by Title 24 requirements.
 - Plant native shade trees along southern exposures of buildings to reduce summer cooling needs;
 - Plant native, drought resistant landscaping;
 - Use locally or nearby produced building materials;
 - Use renewable or reclaimed building materials;
 - Install outdoor electrical outlets to encourage the use of electric appliances and tools; and
 - Include teleconferencing capabilities, such as web cams or satellite linkage, which will allow employees to attend meetings remotely without requiring them to travel out of the area.

EMERGENCY SERVICES SITE SPECIFIC CONDITIONS:

11. 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.

ENGINEERING CONDITIONS/TRAFFIC IMPACT MITIGATION

12. The Jack in the Box restaurant will be conditioned to pay transportation development impact fees in effect at the time of occupancy. The calculation of the fees will not include consideration of fees currently in effect or those that may have been in effect at the time the entitlement application was made or in effect at the time of submittal of a building permit.
13. Improvements to Golden Hill Road and to the intersection of Golden Hill Road and SR 46E, as outlined on approved plans for the Regency Center, must be complete and in operation prior to occupancy of the proposed restaurant.

PASSED AND ADOPTED THIS 12th day of November, 2008 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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 08-007

APPROVING BODY: PLANNING COMMISSION

DATE OF APPROVAL: NOVEMBER 12, 2008

APPLICANT: JACK IN THE BOX

LOCATION: 2500 GOLDEN HILL 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 November 12, 2011 (See Planned Development Approval Resolution) unless a time extension request is filed with the Community Development Department prior to expiration.
- 2. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 3. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- 4. Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the

(Adopted by Planning Commission Resolution 94-038)

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

- 5. This project is subject to the California Environmental Quality Act (CEQA) which requires the applicant submit a \$25.00 filing fee for the Notice of Determination payable to "County of San Luis Obispo". The fee should be submitted to the Community Development Department within 24 hours of project approval which is then forwarded to the San Luis Obispo County Clerk. Please note that the project may be subject to court challenge unless the required fee is paid.
- 6. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.
- 7. All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign.
- 8. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
- 9. All trash enclosures shall be constructed of decorative masonry block compatible with the main buildings. Gates shall be view obscuring and constructed of durable materials such as painted metal or chain link with plastic slatting.
- 10. All existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans.
- 11. All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans.
- 12. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and shall be subject to approval by the Community Development Director or his designee.

(Adopted by Planning Commission Resolution 94-038)

- 13. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 14. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.
- 15. The following areas shall be placed in the Landscape and Lighting District:

_____.

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

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

_____.

- 18. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.

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

- 1. Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department prior to the issuance of building permits.

- 2. Prior to the issuance of building permits, the
 - Development Review Committee shall approve the following:
 - Planning Division Staff shall approve the following:
 - a. A detailed site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
 - b. A detailed landscape plan;
 - c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments;
 - d. Other: See site specific conditions in PD 08-007 Resolution
- 3. The applicant shall meet with the City's Crime Prevention Officer prior to the issuance of building permits for recommendations on security measures to be incorporated into the design of the structures to be constructed. The applicant is encouraged to contact the Police Department at (805) 237-6464 prior to plan check submittal.

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

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

(Adopted by Planning Commission Resolution 94-038)

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

APPLICANT: JIB PREPARED BY: JF

REPRESENTATIVE: CurtPringle CHECKED BY: _____

PROJECT: PD 08-007 TO PLANNING: _____

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

D. PRIOR TO ANY PLAN CHECK:

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

E. PRIOR TO ISSUANCE OF A GRADING PERMIT:

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

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

F. PRIOR TO ANY SITE WORK:

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

Golden Hill Road	Arterial	A-1
Street Name	City Standard	Standard Drawing No.
- 7. The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:
 - a. Public Utilities Easement;
 - b. Water Line Easement;

(Adopted by Planning Commission Resolution 94-038)

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

G. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

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

(Adopted by Planning Commission Resolution 94-038)

shall provide a Flood Proofing Certificate in accordance with the National Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State California.

H. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

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

(Adopted by Planning Commission Resolution 94-038)

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

- 10. The applicant shall install all utilities (sewer, water, gas, electricity, cable TV and telephone) underground (as shown on the composite utility plan). Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project. All underground construction shall be completed and approved by the public utility companies, and the subgrade shall be scarified and compacted, before paving the streets.

- 11. Prior to paving any street the water and sewer systems shall successfully pass a pressure test. The sewer system shall also be tested by a means of a mandrel and video inspection with a copy of the video tape provided to the City. No paving shall occur until the City has reviewed and viewed the sewer video tape and has determined that the sewerline is acceptable. Any repair costs to the pipeline including trench paving restoration shall be at the developer's expense.

- 12. A blackline clear Mylar (0.4 MIL) copy and a blueline print of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. A reduced copy (i.e. 1" = 100') of the composite utility plan shall be provided to update the City's Atlas Map.

- 13. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.

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

I. GENERAL CONDITIONS

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

(Adopted by Planning Commission Resolution 94-038)

PROJECT DATA

DATE: 09/22/08
 SHEET NO. 8 OF 14
 DRAWN BY: J. B. W. / J. B. W.
 CHECKED BY: J. B. W. / J. B. W.
 APPROVED BY: J. B. W. / J. B. W.
 APPROVED BY: J. B. W. / J. B. W.

PARKING REQUIREMENTS

1. MINIMUM PARKING: 15 SPACES
 2. 15 SPACES
 3. 15 SPACES
 4. 15 SPACES

PREPARED BY

LYONS WARREN

1000 S. MAIN ST., SUITE 100
 PASO ROBLES, CA 93441
 TEL: (805) 328-1111
 FAX: (805) 328-1112
 WWW.LYONSWARREN.COM

OWNER:

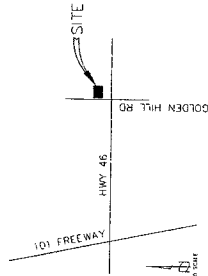
2500 Golden Hill Road
 Paso Robles, CA 93441
 Jack in the Box

APPLICANT:

Jack in the Box
 2500 Golden Hill Road
 Paso Robles, CA 93441

LEGEND

- PROPOSED LANDSCAPE PLANTS
- EXISTING LANDSCAPE PLANTS



VICINITY MAP

NOTES:

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. DIMENSIONS SHOWN ON OTHER SHEETS OF THIS SET TAKE PRECEDENCE OVER THIS SET.
3. SEE ALL APPLICANT'S NOTES ON THIS SET.

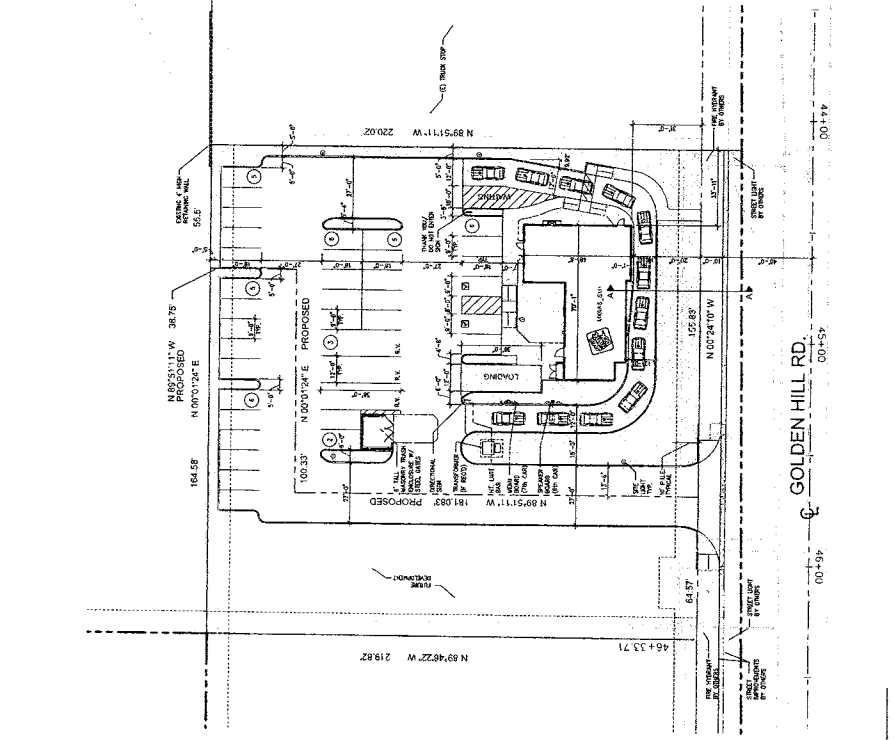
PROJECT INFORMATION

DATE: 09/22/08
 SHEET NO. 8 OF 14
 DRAWN BY: J. B. W. / J. B. W.
 CHECKED BY: J. B. W. / J. B. W.
 APPROVED BY: J. B. W. / J. B. W.

LYONS WARREN

SITE PLAN

SD1.0



LANDSCAPE SECTION A-A
 SCALE: 1/8" = 1'-0"

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

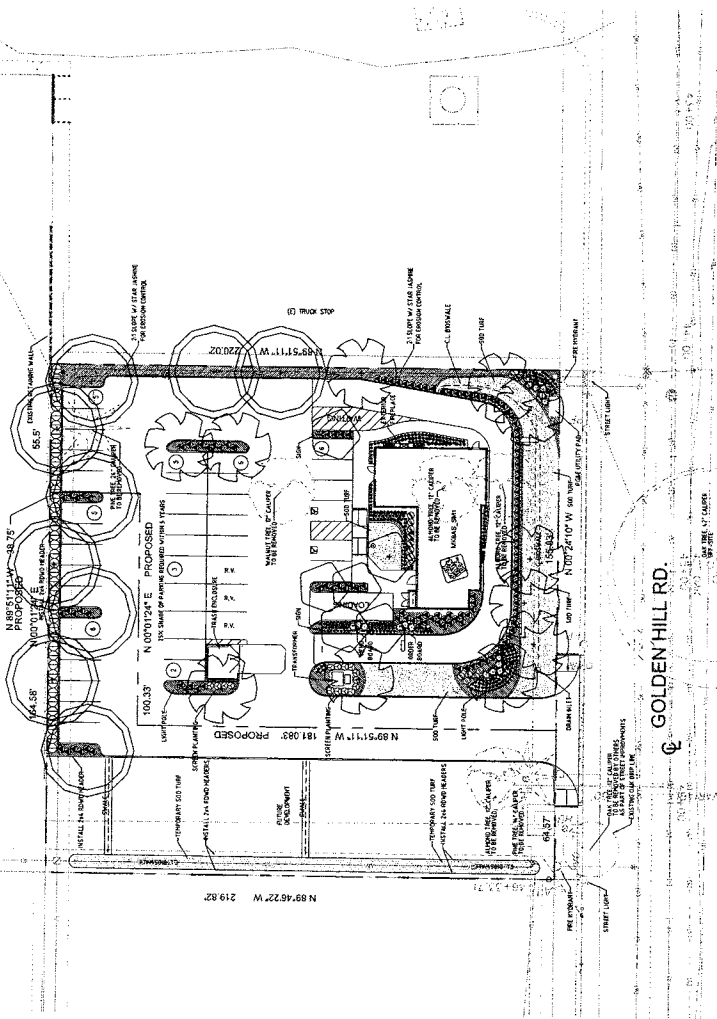
NORTH

Paso Robles
 OCT 29 2008
 Planning Division

Exhibit B
Site Plan
PD 08-007
2500 Golden Hill Road
(Jack in the Box)



PARCEL 11



PRIOR TO STARTING WORK, GENERAL CONTRACTOR AND LANDSCAPE ARCHITECT SHALL CONTACT LANDSCAPE ARCHITECT TO SCHEDULE MANDATORY PRE-CONSTRUCTION PHONE CONFERENCE.



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 HEREON IS THE PROPERTY OF JACK IN THE BOX
 AND IS TO BE USED ONLY FOR THE PROJECT
 IDENTIFIED HEREON.

SYMBOL	POLYMER SAND	GRAVEL	CONCRETE	ASPHALT	PAVING	IRRIGATION	PLANTING	UTILITIES	EXISTING
(Symbol)	1/4" POLYMER SAND	1/4" GRAVEL	CONCRETE	ASPHALT	PAVING	IRRIGATION	PLANTING	UTILITIES	EXISTING

SYMBOL	PLANTING	UTILITIES	EXISTING
(Symbol)	PLANTING	UTILITIES	EXISTING

SYMBOL	UTILITIES	EXISTING
(Symbol)	UTILITIES	EXISTING

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(Symbol)	EXISTING

SYMBOL	EXISTING
(Symbol)	EXISTING

SYMBOL	EXISTING
(Symbol)	EXISTING

Exhibit D
Landscape Plan
PD 08-007
2500 Golden Hill Road
(Jack in the Box)

MK9AS_LG

VENUE SQ. FT. = 1,374 (INCL. PUBLIC)
 DINING SQ. FT. = 1,036 (INCL. PUBLIC)
 RESTROOMS SQ. FT. = 200 (INCL. VESTIBULE)
 TOTAL BUILT TREATMENT SQ. FT. = 2,610

 <p>© 1999 Jack in the Box Inc. 533 BALBOA AVENUE SAN DIEGO, CA 92101</p>	<p>DATE: _____</p> <p>RELEASE: JULY 31, 2008</p> <p>P.A./JOB ONLY: JUN. 19, 2007</p> <p>PERMIT: _____</p> <p>NO: _____</p> <p>CONSTRUCTION: _____</p> <p>REVISIONS: _____</p>	<p>LYONS WARREN</p> <p>ARCHITECTS + INTERIORS</p> <p>4615 RIVERSIDE DRIVE SAN DIEGO, CA 92108-4810 619.575.8888</p>	<p>SITE INFORMATION</p> <p>WK TYPE: MK9AS_S01</p> <p>AP # 5414</p> <p>ADDRESS: GOLDEN HILL & HWY. 16 PASO ROBLES, CA</p> <p>DRAWN BY: J.W. ARDITZ</p> <p>SCALE: _____</p>
	<p>OVERALL FLOOR PLAN</p> <p>A1.0</p>		

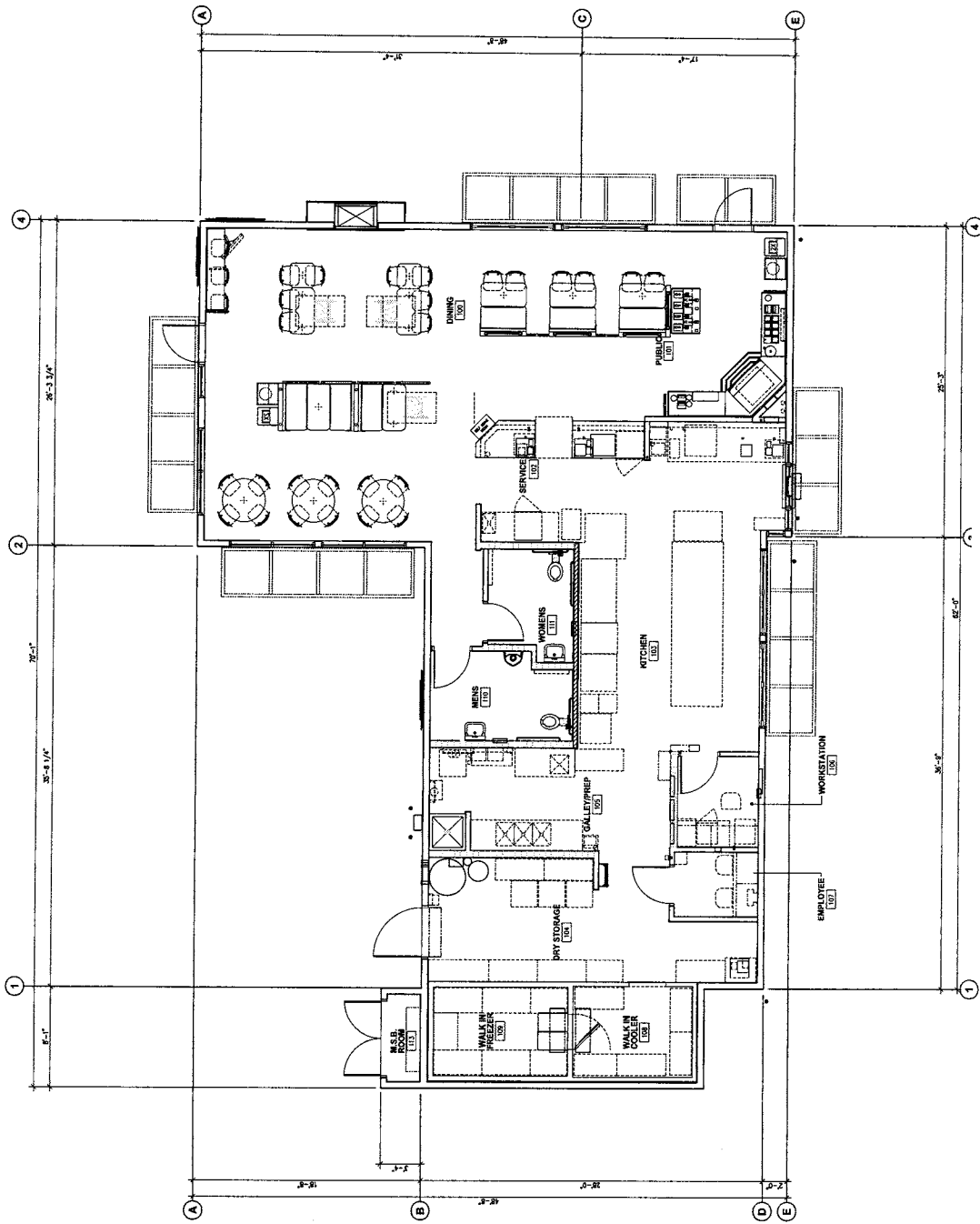
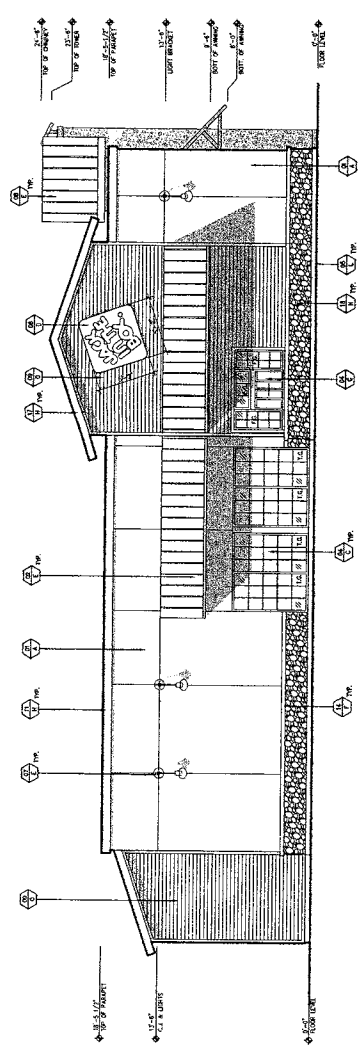
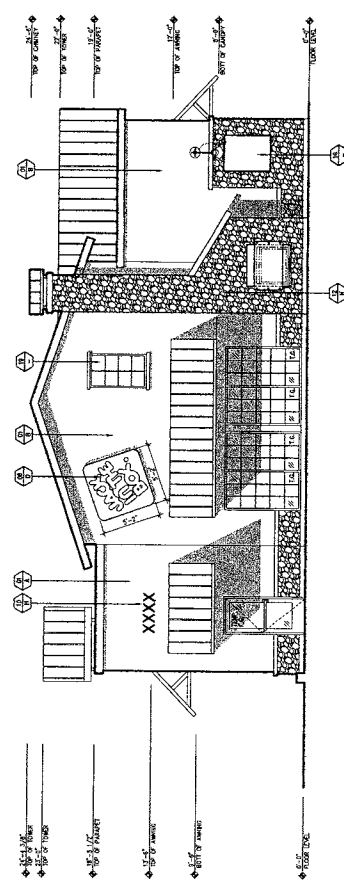


Exhibit E
 Floor Plan
 PD 08-007
 2500 Golden Hill Road
 (Jack in the Box)

NOTES:
 THE DRAWING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY AND COUNTY ENGINEERING DEPARTMENT. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY AND COUNTY ENGINEERING DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY AND COUNTY ENGINEERING DEPARTMENT. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY AND COUNTY ENGINEERING DEPARTMENT.



WEST ELEVATION
 SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
 SCALE: 1/4" = 1'-0"

EXTERIOR FINISH SCHEDULE
 USE CHECKED BOX ONLY
 MATERIAL FINISH: WATER-BASED COATING, DUNLOP CH947 GRANITE BARRIER
 COLOR: ANTI-GRABBER GRANITE BARRIER
 COLOR: CLEAR

- EXTERIOR ORIENT PLASTER - SWS PLANT FINISH - INTEGRAL COLOR**
- 01 INTERNAL COLOR
 - 02 HYDRAULIC ELASTOMERIC AND FINE TEXTURE
 - 03 ANCHOR & SUPPORT (BY SWS CONTRACTOR) 1/2" x 1/2" x 1/2" ALUMINUM ANCHOR SYSTEM (SEE SWS FOR MORE INFORMATION)
 - 04 1" CLEAR INSULATED GLASS
 - 05 1/4" CLEAR GLASS
 - 06 1/2" SOLARBAN 80 COATING
 - 07 ANTI-GRABBER FILM
 - 08 INTERNALLY ILLUMINATED SPRAING COAT OVER CONCRETE CURB
 - 09 1/2" x 1/2" x 1/2" ANCHOR & SUPPORT (BY SWS CONTRACTOR) 1/2" x 1/2" x 1/2" ALUMINUM ANCHOR SYSTEM (SEE SWS FOR MORE INFORMATION)
 - 10 1" CLEAR INSULATED GLASS
 - 11 1/4" CLEAR GLASS
 - 12 1/2" SOLARBAN 80 COATING
 - 13 ANTI-GRABBER FILM
 - 14 INTERNALLY ILLUMINATED SPRAING COAT OVER CONCRETE CURB
 - 15 1/2" x 1/2" x 1/2" ANCHOR & SUPPORT (BY SWS CONTRACTOR) 1/2" x 1/2" x 1/2" ALUMINUM ANCHOR SYSTEM (SEE SWS FOR MORE INFORMATION)
 - 16 1" CLEAR INSULATED GLASS
 - 17 1/4" CLEAR GLASS
 - 18 1/2" SOLARBAN 80 COATING
 - 19 ANTI-GRABBER FILM

- EXTERIOR FINISH SCHEDULE - CONTINUED**
- 20 HYDRAULIC ELASTOMERIC AND FINE TEXTURE
 - 21 ANCHOR & SUPPORT (BY SWS CONTRACTOR) 1/2" x 1/2" x 1/2" ALUMINUM ANCHOR SYSTEM (SEE SWS FOR MORE INFORMATION)
 - 22 1" CLEAR INSULATED GLASS
 - 23 1/4" CLEAR GLASS
 - 24 1/2" SOLARBAN 80 COATING
 - 25 ANTI-GRABBER FILM
 - 26 INTERNALLY ILLUMINATED SPRAING COAT OVER CONCRETE CURB
 - 27 1/2" x 1/2" x 1/2" ANCHOR & SUPPORT (BY SWS CONTRACTOR) 1/2" x 1/2" x 1/2" ALUMINUM ANCHOR SYSTEM (SEE SWS FOR MORE INFORMATION)
 - 28 1" CLEAR INSULATED GLASS
 - 29 1/4" CLEAR GLASS
 - 30 1/2" SOLARBAN 80 COATING
 - 31 ANTI-GRABBER FILM
 - 32 INTERNALLY ILLUMINATED SPRAING COAT OVER CONCRETE CURB
 - 33 1/2" x 1/2" x 1/2" ANCHOR & SUPPORT (BY SWS CONTRACTOR) 1/2" x 1/2" x 1/2" ALUMINUM ANCHOR SYSTEM (SEE SWS FOR MORE INFORMATION)
 - 34 1" CLEAR INSULATED GLASS
 - 35 1/4" CLEAR GLASS
 - 36 1/2" SOLARBAN 80 COATING
 - 37 ANTI-GRABBER FILM
 - 38 INTERNALLY ILLUMINATED SPRAING COAT OVER CONCRETE CURB
 - 39 1/2" x 1/2" x 1/2" ANCHOR & SUPPORT (BY SWS CONTRACTOR) 1/2" x 1/2" x 1/2" ALUMINUM ANCHOR SYSTEM (SEE SWS FOR MORE INFORMATION)
 - 40 1" CLEAR INSULATED GLASS
 - 41 1/4" CLEAR GLASS
 - 42 1/2" SOLARBAN 80 COATING
 - 43 ANTI-GRABBER FILM
 - 44 INTERNALLY ILLUMINATED SPRAING COAT OVER CONCRETE CURB
 - 45 1/2" x 1/2" x 1/2" ANCHOR & SUPPORT (BY SWS CONTRACTOR) 1/2" x 1/2" x 1/2" ALUMINUM ANCHOR SYSTEM (SEE SWS FOR MORE INFORMATION)
 - 46 1" CLEAR INSULATED GLASS
 - 47 1/4" CLEAR GLASS
 - 48 1/2" SOLARBAN 80 COATING
 - 49 ANTI-GRABBER FILM
 - 50 INTERNALLY ILLUMINATED SPRAING COAT OVER CONCRETE CURB

- NOTES:**
- NO MECHANICAL EQUIPMENT SHALL BE LOCATED ABOVE THE BUILDING PARAPETS. ALL MECHANICAL EQUIPMENT SHALL BE LOCATED WITHIN AN UNOCCUPIED SPACE AND NOT VISIBLE FROM THE EXTERIOR OF THE BUILDING.
 - ALL MECHANICAL EQUIPMENT SHALL BE LOCATED WITHIN AN UNOCCUPIED SPACE AND NOT VISIBLE FROM THE EXTERIOR OF THE BUILDING.

Site Information

W: 1700 S. 1000 E.
 S: F. S. 1000 E.
 ADDRESS: 2500 GOLDEN HILL ROAD, S.W.
 ZONING: R-100
 DRAWN BY: J. W. J. J. J.
 SCALE: AS SHOWN

EXTERIOR ELEVATIONS

A2.0

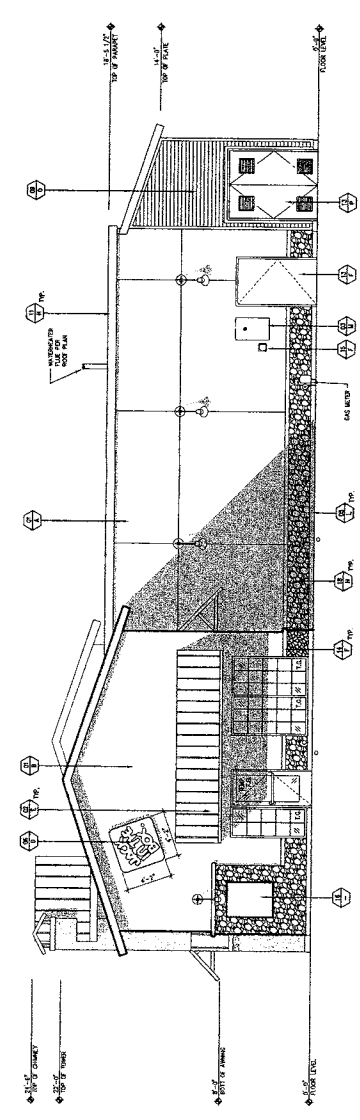
LYONS WARREN

ARCHITECTS

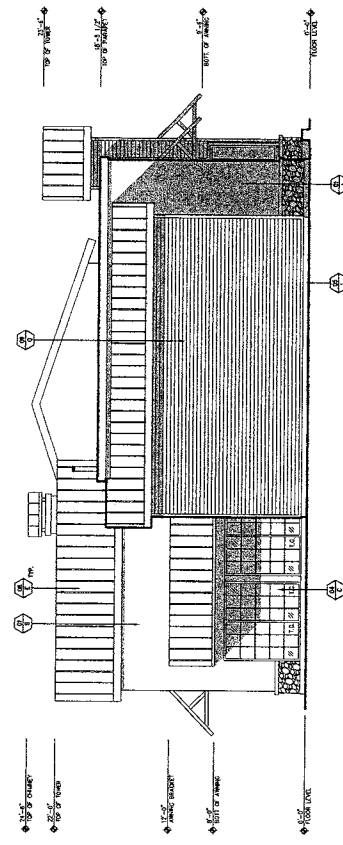
1000 S. 1000 E.
 SUITE 1000
 DENVER, CO 80202
 (303) 733-1111
 WWW.LYONSWARREN.COM

Exhibit F
 Ext. Elevations (West & South)
 PD 08-007
 2500 Golden Hill Road
 (Jack in the Box)

NOTES:
 1. ALL FINISHES AND MATERIALS SHALL BE APPROVED BY THE ARCHITECT PRIOR TO ORDERING. APPROVED FINISHES AND MATERIALS SHALL BE SHOWN ON THE EXISTING DRAWINGS. APPROVED FINISHES AND MATERIALS SHALL BE SHOWN ON THE EXISTING DRAWINGS. APPROVED FINISHES AND MATERIALS SHALL BE SHOWN ON THE EXISTING DRAWINGS. APPROVED FINISHES AND MATERIALS SHALL BE SHOWN ON THE EXISTING DRAWINGS.



EAST ELEVATION
 SCALE: 1/4" = 1'-0"



NORTH ELEVATION
 SCALE: 1/4" = 1'-0"

EXTERIOR FINISH SCHEDULE USE CHECKED BOX ONLY
 MATERIAL FINISH ANTI-GRAFFITI COATING, RANDOLPH CHEMICALS INC. (212) 864-8330
 COLOR COLOR

- MATERIALS:**
- 01 EXTERIOR GRANT PLASTER - SAND FLOAT FINISH - INTERNAL COLOR
 - INTERNAL COLOR
 - 02 THINSLABIC ELASTOMERIC PAINT ONE COAT
 - 03 ANCHOR & SUPPORT BY SIKO CONTRACTOR
 - 04 1/2" X 1/2" S.C. FLASHING AT GROUND LEVEL (SEE SECTION INFORMATION)
 - 05 1/2" X 1/2" S.C. FLASHING AT GROUND LEVEL (SEE SECTION INFORMATION)
 - 06 1" CLEAR INSULATED GLASS 1/4" CLEAR GLASS
 - 07 1" CLEAR INSULATED GLASS ANTI-GRAFFITI FILM
 - 08 1" CLEAR INSULATED GLASS SOLARBAN 80 COATING
 - 09 EXTERIOR GROUT PLASTER FINISH OVER CONCRETE CURB
 - 10 EXTERIOR GROUT PLASTER FINISH OVER CONCRETE CURB
 - 11 EXTERIOR GROUT PLASTER FINISH OVER CONCRETE CURB
 - 12 EXTERIOR GROUT PLASTER FINISH OVER CONCRETE CURB
 - 13 EXTERIOR GROUT PLASTER FINISH OVER CONCRETE CURB
 - 14 EXTERIOR GROUT PLASTER FINISH OVER CONCRETE CURB
 - 15 EXTERIOR GROUT PLASTER FINISH OVER CONCRETE CURB
 - 16 EXTERIOR GROUT PLASTER FINISH OVER CONCRETE CURB
 - 17 EXTERIOR GROUT PLASTER FINISH OVER CONCRETE CURB
 - 18 EXTERIOR GROUT PLASTER FINISH OVER CONCRETE CURB
 - 19 DECORATIVE WINDOW

- COLORS:**
- A COLOR TO MATCH TO 688 "TUFF PAINT"
 - B COLOR TO MATCH TO 688 "TUFF PAINT"
 - C COLOR TO MATCH TO 688 "TUFF PAINT"
 - D WHITE TEXT ON RED BACKGROUND
 - E COLOR TO MATCH TO 688 "TUFF PAINT"
 - F COLOR TO MATCH TO 688 "TUFF PAINT"
 - G NOT USED
 - H COLOR TO MATCH TO 688 "TUFF PAINT"
 - I COLOR TO MATCH TO 688 "TUFF PAINT"
 - J COLOR TO MATCH TO 688 "TUFF PAINT"
 - K COLOR TO MATCH TO 688 "TUFF PAINT"
 - L COLOR TO MATCH TO 688 "TUFF PAINT"
 - M COLOR TO MATCH TO 688 "TUFF PAINT"
 - N COLOR TO MATCH TO 688 "TUFF PAINT"
 - O COLOR TO MATCH TO 688 "TUFF PAINT"
 - P COLOR TO MATCH TO 688 "TUFF PAINT"

NOTES:
 1. NO MECHANICAL EQUIPMENT WILL EXTEND ABOVE THE BUILDING PARAPETS, UNLESS SPECIFICALLY SHOWN OTHERWISE.
 2. RESULT FROM THE EXTERIOR OF THE BUILDING.

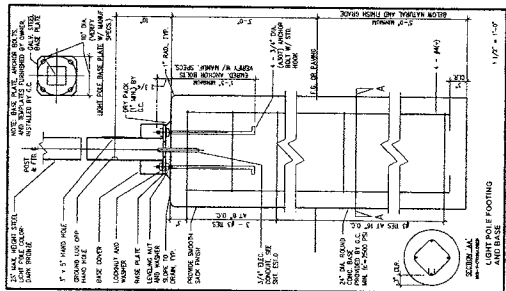
Architect
 J. J. Warren
 1000 Hill St. Box 100
 1000 Hill St. Box 100
 1000 Hill St. Box 100

LYONS WARREN

Client Information

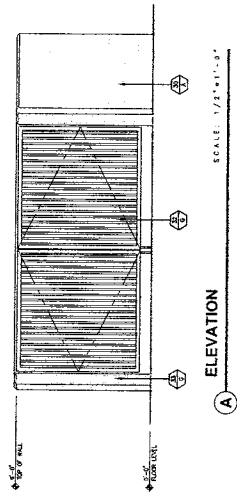
PROJECT NO. 1000
 48 F. 3111
 ADDRESS
 2500 GOLDEN HILL RD., BOX 48
 FAZEL, ILLINOIS, IL 62524
 DRAWN BY: J. J. WARREN
 SCALE: AS SHOWN

Exhibit G
 Ext. Elevations (East & North)
 PD 08-007
 2500 Golden Hill Road
 (Jack in the Box)

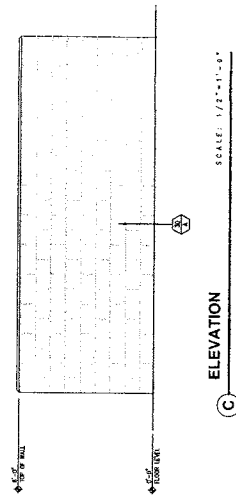


TRASH ENCLOSURE FINISH SCHEDULE

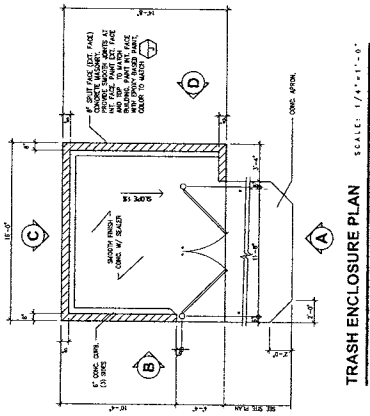
- MATERIAL / FINISH**
- 30 SPLIT FACE MASONRY WITH PAINT FINISH
 - 31 SPLIT FACE MASONRY WITH SMOOTH JOINTS AND GROUT BASED PAINT FINISH
 - 32 GALVANIZED METAL DOOR WITH PAINT FINISH
 - 33 GALVANIZED STEEL PIPE POST WITH PAINT FINISH
- COLOR:**
- A COLOR TO MATCH IN FIBER "MUFFY PAUL"
 - B COLOR TO MATCH IN FIBER "MUFFY PAUL"
 - C COLOR TO MATCH IN FIBER "MUFFY PAUL"
 - D COLOR TO MATCH IN FIBER "MUFFY PAUL"
 - E COLOR TO MATCH IN FIBER "MUFFY PAUL"
 - F COLOR TO MATCH IN FIBER "MUFFY PAUL"



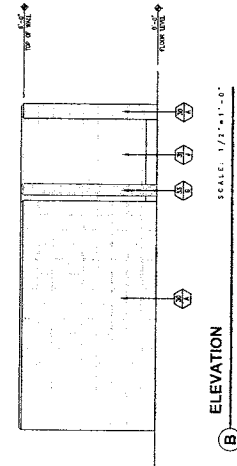
ELEVATION A



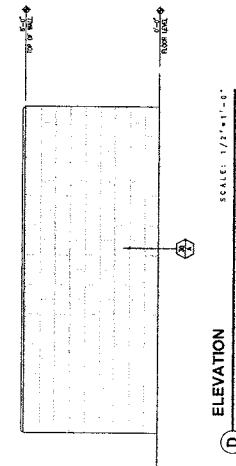
ELEVATION C



TRASH ENCLOSURE PLAN



ELEVATION B



ELEVATION D

Architect
1500 MAIN AVENUE
SAN DIEGO, CA 92101

© 1999 Jack in the Box Inc.
This drawing was prepared for the project described herein and is not to be used for any other project without the written consent of the architect.

LYONS WARREN

3100 WILSON AVENUE
SAN DIEGO, CA 92108

DATE: JAN 11, 2007
PROJECT: JACK IN THE BOX
NO.: 07-001
CONTRACTOR:

SCALE: 1/4" = 1'-0"

TRASH ENCLOSURE PLAN AND ELEVATIONS

A2.2

DATE: 01/11/07
BY: J.P. BRYAN
CHECKED: J.P. BRYAN
SCALE: AS SHOWN
DATE: 01/11/07

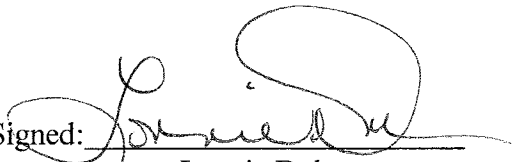
Exhibit H
Trash Enclosure Plan
PD 08-007
2500 Golden Hill Road
(Jack in the Box)

**AFFIDAVIT
OF MAIL NOTICES**

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Lonnie Dolan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Planned Development 08-007 (Jack-in-the-Box Restaurant) on this 21st day of October 2008.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Lonnie Dolan

forms\mailaffi.691

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

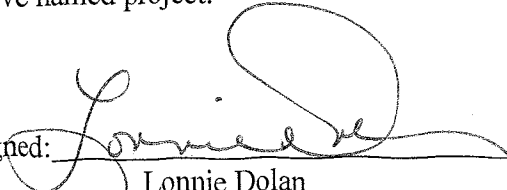
Newspaper: Tribune

Date of Publication: September 29, 2008

Hearing Date: October 28, 2008
Planning Commission

Project: Planned Development 08-007
(Jack in the Box – Golden Hill
And Hwy 46 east)

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

Signed: 
Lonnie Dolan

forms\newsaffi.691

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING
NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE
DECLARATION AND PD 08-007

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, October 28, 2008. The meeting will be held at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider a Mitigated Negative Declaration in accordance with the provisions of the California Environmental Quality Act (CEQA) for the following project:

Planned Development 08-007: Request to construct a 2,500 square foot Jack in the Box drive-through restaurant with ancillary parking and landscaping areas.

The public review period for the Mitigated Negative Declaration (MND) is September 29, 2008 through October 28, 2008. The proposed MND may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.

Written comments on the proposed project and corresponding MND 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 Darren Nash at (805) 237-3970.

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.

Darren Nash, Associate Planner
September 29, 2008 6766264