TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PLANNED DEVELOPMENT 12-007 & TENTATIVE TRACT 2919

(38TH STREET TOWNHOMES - VERNON)

DATE: FEBRUARY 25, 2013

Needs: For the Planning Commission to consider an application filed by Brad Vernon

proposing to subdivide an approximate 1-acre site into 14 lots, to build one townhome

on each lot.

Facts:

1. The project is located at 514 - 38th Street, at the northern terminus of Oak Street (see attached Vicinity Map).

2. The General Plan designation is Residential Multi-Family, 12 units to the acre (RMF-12). The current zoning designation is T4-Neighborhood (T4-N) within the Uptown/Town Center Specific Plan (UTCSP).

- 3. The UTCSP provides that the construction of 5 or more residential units requires approval of a Development Plan (PD) in conjunction with the tentative tract map.
- 4. There is one house located on the site, which will be removed to accommodate the proposed project.
- 5. The General Plan land use designation for this site is RMF-12, which allows for multi-family development up to 12 units per acre. Additionally, the T4-N zone anticipates the development of duplex, triplex and quadplex units.
- 6. The townhouse buildings range in size from one single unit to a four unit building. Each unit would have the ability to have separate ownership, which would include the land the unit sits on.
- 7. There are three oak trees located on the site (Tree No. 1, 2 & 3). An Arborist Report has been provided which indicates that, with some monitoring during construction, there will be no impacts to the oak trees.
- 8. As a result of this site being an irregular shape, and since it does not have alley access, the project does not lend itself to the ability to meet certain development standards within the UTCSP. The applicants are requesting that the Planning Commission allow modifications related to the following development standards:

- a. Interior setbacks:
- b. Setbacks along the freeway right-of-way;
- c. Parking placement;
- 9. The DRC reviewed the project on December 10, 2012, which included discussion on site planning, grading plans and architectural elevations. The proposed modifications to the development standards in the Uptown Town Centre Specific Plan were also discussed. The DRC was in favor of the project and recommended Planning Commission approval. The DRC did request that the applicants be able to provide some additional information related to window type, colors and trim at the Planning Commission hearing.
- 10. This application is Categorically Exempt from environmental review per Section 15332 (Infill) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Analysis and Conclusion:

<u>Development Standards</u>

Generally, UTCSP development standards were designed to maintain and enhance the traditional neighborhood fabric associated with a grid street pattern, 300 foot square rectangular blocks bisected by alleys, rectangular lots of fairly uniform size, over flat or gently-sloping terrain.

The site for this project is located on an irregularly-shaped block with no bisecting alley and a significant change in elevation from Vine Street on the west to Oak Street on the East. This pattern does not lend itself to many of the UTCSP development standards. What is being proposed is a townhouse condominium development composed of building types that are essentially equivalent to "rowhouses" that works with the site shape and topography. The proposed density is consistent with the UTCSP and the General Plan. The proposed private and common open space areas are consistent with UTCSP standards. The common open space area includes a tot-lot and BBQ area.

Section 5.1D.4 of the Specific Plan, allows an applicant to apply to the Planning Commission to ask for modifications when "compliance with the provisions of this Code can be demonstrated to be physically infeasible for any reasonable type of development". The modifications discussed below appear to be necessary to make development of this site feasible.

Setbacks

It is common for townhouse condominiums to have flexible setbacks from interior lot lines and private drives as the lots conform to the building footprint and private open space area. The UTCSP does not specifically address this situation.

Setbacks between the rear of buildings along the northeast border of the site and the Highway 101 right-of-way, are as short as 10 feet in some instances. The freeway right-of-way adjacent to the site consists of an off-ramp that is elevated 10-15 feet above the site. Given this situation, as long as the setbacks provide for ample private open space for the units abutting the right-of-way, the setbacks appear to be adequate.

Parking Placement

The UTSCP provides that, in situations where garages must face local streets, the garage doors are to be set back 25 feet from the street right-of-way (where the edge of sidewalk will be). This allows cars to park in front of garage doors and not project over the sidewalk. The three units that face Vine Street propose to locate their garage doors 18.5 feet from the Vine street right-of-way. Topography is the major factor that prevents moving the garages back another 6.5 feet. The UTCSP's parking standards in Section 5.7.2.C set 18 feet as the length of a parking stall. Therefore, an 18.5 foot setback may be considered to be consistent with that standard.

Buildings #4, 5, and 6 propose to place garage doors 7 to 12 feet from the interior drive. The UTCSP does not have a standard for garage door setbacks from interior drives. However, the regular Zoning Code provides that such setbacks either be 5 feet or 20 feet and nothing in between. That requirement is intended to prevent situations in which vehicles are parked in front of garage doors in a manner that the vehicles project into the interior drive, which could block emergency response vehicles.

It is recommended that the site plan be revised so that garage door setbacks from interior drives are either 5 feet or 20 feet, but nothing in between. Additionally, redesign shall not adversely affect private open space. The redesigned plans could either be reviewed and approved by the Development Review Committee, or if the Planning Commission prefers, returned to the Planning Commission for review and approval. This is addressed in Condition No. 4 of the attached resolution (Attachment4).

Freeway Noise

An Acoustical Analysis was prepared for this project to determine if traffic noise from the highway would exceed existing and future noise exposure levels outlined in the City's Noise Element (See Attachment 3). The Consultant took various noise level readings at the site and concluded that based on the site elevation being much lower than the highway that interior and exterior noise levels would be below the maximum exposures identified in the Noise Element. In fact, the report indicates that traffic volumes could quadruple, and still not exceed the noise level thresholds.

Conclusion

Overall, the project seems reasonable for the site given the site challenges mentioned above. The proposed modifications to the specific plan would help develop the site in a manner that provides for a reasonable amount of density that would seem to be consistent with the type of development in the neighborhood.

The project would seem to be consistent with the Economic Strategy, by providing a cohesive, compact, and livable community for individuals and family. Aside from the modification mentioned above, the project would meet the intent of the Specific Plan T4-N zone, by providing a mix of housing types and by creating a "vibrant, walkable, primarily residential neighborhood".

Policy

Reference: General Plan Land Use and Noise Elements, Uptown Town Centre Specific Plan,

and 2006 Economic Strategy.

Fiscal

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

Development.

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

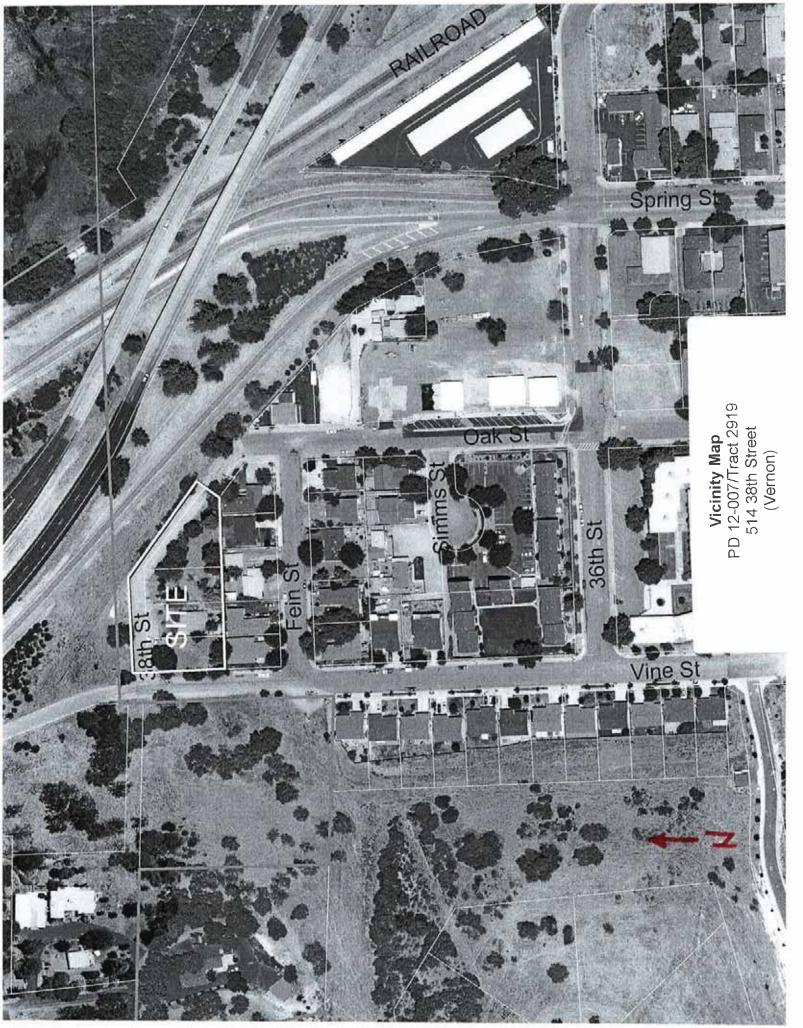
a. Adopt the attached Resolution approving Tentative Tract 2919 allowing the subdivision of the site into 14 lots, and approving Planned Development 12-007, allowing for the construction of 14-townhomes, including modifications to the Uptown Town Centre Specific Plan related to setbacks, and parking location, subject to standard and site specific conditions;

b. Amend, modify, or reject the above-listed action;

Prepared by Darren Nash

Attachments:

- 1. Vicinity Map
- 2. City Engineer's Memo
- 3. Acoustical Analysis
- 4. Draft Resolution to approve Tentative Tract 2919 & PD 12-007
- 5. Mail and Newspaper Affidavits



Agenda Item No. 1 Page 5 of 54

MEMORANDUM

TO: FROM: Darren Nash John Falkenstien

SUBJECT:

PD 12-007 Tract 2919 Vernon

DATE:

February 11, 2013

Streets

The project fronts on the east side of Vine Street at north City limits and takes access from the north end of Oak Street. The original 38th Street right-of-way has been abandoned.

Typical frontage street improvements; curb, gutter and sidewalk, will be required on Vine Street. While vehicular access from Oak Street to Vine Street is not necessary, direct pedestrian access for all units to Vine Street would be useful and should be incorporated into the project.

Grading, Drainage and Storm Water Quality

The City is obligated by the Regional Water Quality Control Board to require all projects to implement low impact development best management practices to improve storm water quality and to limit the increase in the rate and volume of storm water run-off to the maximum extent practical. Consistent with the "maximum extent practical" effort, it is recommended that the two guest parking spaces and trash enclosure at the south end of the project be relocated to the west side of the entrance street in order to free up the open space along the Caltrans boundary for storm water treatment facilities.

On September 6, 2012, the Water Board adopted strict numeric criteria for retention of storm water on-site. Under the terms of the Water Board resolution, the City has until September, 2013 to adopt its own ordinance reflecting these criteria. The Vernon project will avoid the new regulations if it is approved by the Planning Commission prior to Council's adoption of new mandated requirements later this year.

Sewer and Water

8-inch sewer and water mains are located in retained easements within the abandoned 38th Street right-of-way. These lines have to be relocated with easements abandoned and re-established within the new project.

Conditions of Approval

Vine Street shall be improved with curb, gutter, sidewalk and paving in accordance with plans approved by the City Engineer.

Existing sewer and water mains within the project must be relocated in accordance with plans approved by the City Engineer.

All existing overhead utility lines through and adjacent to the project shall be relocated underground.

Low impact development best management practices as outlined in the project submittals shall be incorporated into the project grading plans. Please note that it may be necessary to move the visitor parking and trash enclosure to the opposite side of the street in order to provide LID features where they are currently shown on the plan.

Attachment 2

City Engineer Memo PD 12-007 & Tract 2919 (Vernon)



October 13, 2012

KM Acoustic Studies

CGD Design Attn: Claudio Gonzalez San Luis Obispo, CA 99401

SUBJECT: Acoustical Analysis for 514 38th Street, Paso Robles, California.

Dear Mr. Gonzalez:

An acoustical analysis was conducted for a residential development located at 514 38th Street (subject property), Paso Robles, California. Paso Robles City Planning and Building Department requested substantial evidence, based on accepted modeling methodologies and actual noise measurements, that the proposed 13-unit residential housing project would not be exposed to noise levels that exceeded City noise standards as contained in the Noise Element of the General Plan due to the project sites proximity to U.S. Highway 101. This assessment was intended to document existing sound levels generated by U.S. 101 and the adjacent south bound off-ramp and determine if the proposed development would expose new residences to levels exceeding the City threshold.

GENERAL INFORMATION

The subject noise investigation was conducted using a Bruel and Kjaer (B&K) Model 2230 precision integrating sound level meter. The meter was calibrated externally at the beginning of the period of measurement using a B&K Model 4230 acoustic calibrator. In combination, these instruments yield sound level measurements accurate to within 0.1 decibel (dB). All models fulfill standards of relevant sections of IEC (International Electrotechnical Commission) 651 and ANSI (American National Standard) S1.4.1971 for Type 1 (precision) integrating sound level meters

EXISTING NOISE ENVIRONMENT

Three 15-minute duration peak-hour noise measurements were conducted at the project site on Monday October 8, 2012, from approximately 4:00 PM to 5:00 PM. All noise readings were conducted in the A-weighted decibel range. The A-weighting correlates well with how humans hear sounds, de-emphasizing very high and low frequencies. Refer to Table 1 for monitoring results.

Attachment 3
Acoustical Analysis
PD 12-007 & Tract 2919
(Vernon)

TABLE 1

Measurement Location*	Leq(h) dBA
1	58.2
2	57.7
3	55.9

^{*}Refer to attached Figure

The project site is located in a bowl like depression, at a significantly lower elevation than the north and south bound travel lanes of U.S. 101. The through lanes of the highway remain at a fairly consistent grade and curve away from the project site on the north and south ends of the project site. The south bound off ramp starts at highway grade to the north and gradually descends in the southerly direction adjacent to the project site. This configuration lends to existing topography that provides significant noise attenuation by creating a berm like effect shielding the project site from the through lanes of the highway. The through lanes of the highway are not visible from the ground elevation of the project site. As observed during the field monitoring, noise levels are much lower than one would expect given the close proximity of the highway.

PREDICTED NOISE LEVELS

The document "2011 Traffic Volumes on the California State Highway System" and Appendix A of the San Luis Obispo County Noise Element Technical Reference Document were used to obtain traffic volumes used in determining "future" noise levels resulting from traffic volumes along U.S. Highway 101. According to the State document, 2011 traffic volumes on U.S. 101 in the project area were measured to be 2,400 vehicles during the peak hour.

Due to the logarithmic nature of sound, it takes one doubling of the traffic volume to obtain a 3 dB increase in the noise level. Because detailed future traffic information is unavailable for this project, a traffic volume increase of approximately 2 times greater than existing traffic volumes was assumed. Therefore, it is reasonable to assume a roughly 3 dBA increase due to future traffic volumes at the project site. The corresponding average sound-level increase at measurement locations one through three would be approximately 3 dBA if traffic volumes double on U.S. 101, not an unreasonable assumption for future traffic volumes over the next 20 year planning horizon.

IMPACT DETERMINATION

As detailed in the City Noise Element, the City sets its own transportation source noise standards for outdoor activity areas and interior spaces. The maximum allowable noise exposure for outdoor activity is 65 dBA Ldn and 45 dBA Ldn in interior spaces for residential uses. From a practical standpoint, the Ldn noise level is essentially equivalent to the peak-hour noise level for most situations involving noise from vehicular traffic, and the peak-hour Leq can be used as the Ldn level.

KM Acoustic Studies.

Given that Location 1 was the highest peak-hour reading measured during the site visit, traffic volumes could quadruple and still be under the 65 dBA outdoor noise threshold. Even if the outdoor activity areas of each the dwelling units were presumed to be exposed and unshielded from the noise source, the proposed project would not exceed outdoor noise thresholds as defined in the City Noise Element due to the sites topography.

It has been determined through various research efforts (County Noise Element) that newly constructed buildings (i.e. homes) will usually attenuate outside noise sources by 25 to 30 dB. Therefore, construction of proposed residences pursuant to the State Noise Insulation Standards (California Code of Regulations, Title 24) and Chapter 35 of the Uniform Building Code (UBC) would provide the required noise reduction to bring the interior noise levels resulting from automobile sources into compliance with the City's Noise Element. No interior noise mitigation is required for the proposed project.

Please feel free to call me at 459-4606 if you have any questions or need further clarification on anything.

Sincerely,

Karl Mikel, PE





NOISE MONITORING LOCATION MAP FIGURE 1

RESOLUTION NO. 13-xxx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES APPROVING TENTATIVE TRACT 2919 & PLANNED DEVELOPMENT 12-007 38TH & OAK STREETS (BRAD VERNON)

APN: 008-011-088, 089, 090 & 091

WHEREAS, Planned Development 12-007 has been submitted by Brad Vernon, requesting to subdivide an approximate 1-acre site into 14 lots for the construction of 14 townhome residences; and

WHEREAS, the project is located at the terminus of Oak Street at 38th Street; and

WHEREAS, the site is located within the T4-Neighborhood (T4-N) zoning district; and

WHEREAS, Section 21.23B.030(5a), of the Zoning Code require the development of 5 or more residential units go through the development plan (PD) review process; and

WHEREAS, in conjunction with PD 12-007, the applicants have submitted an application for Tentative Tract 2919, requesting to subdivide the 1 acre site into 14 lots; and

WHEREAS, the applicants have requested that the Planning Commission allow modifications to the development standards within the Uptown Town Centre Specific Plan, as described in Section 5.1D.4 of the Specific Plan; and

WHEREAS, the modifications would include building height limits, building setbacks, and parking placement; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15332 (Infill) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA); and

WHEREAS, a public hearing was conducted by the Planning Commission on February 25, 2013, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed development plan and tentative tract map; and

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

- 1. The development plan and tentative tract map is consistent with the adopted codes, policies, standards and plans of the City; and
- 2. The proposed development plan and tentative tract map will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and
- 3. The proposed development plan and tentative tract map accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors; and the public right-of-way; and
- 4. The proposed development plan and tentative tract map are compatible with, and are not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts; and
- 5. The proposed development plan and tentative tract map are compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc.; and
- 6. The proposed development plan and tentative tract map contribute to the orderly development of the City as a whole.
- 7. The proposed development plan and tentative tract map as conditioned would meet the intent of the General Plan and Zoning Ordinance by providing residential development in an area of the City that is in close proximity to schools, churches and shopping.
- 8. As conditioned, the design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan and Zoning Ordinance;
- 9. The site is physically suitable for the type of development proposed as shown on the tentative tract map (Exhibits B to this resolution);
- 10. The site is physically suitable for the proposed density of development by meeting the General Plan and Zoning requirements;
- 11. The design of the subdivision and the type of improvements proposed will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision;

- 12. The proposed development plan and tentative tract map as conditioned, would meet the intent of the Uptown Town Centre Specific Plan by providing small scale detached and attached residential development in an area of the City that is in close proximity to schools, churches and shopping.
- 13. The modifications to the Uptown Town Centre Specific Plan would help develop the site in a manner that provides for a reasonable amount of density that would seem to be consistent with the type of development in the neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 12-007 and Tentative Tract 2919, subject to the following conditions:

STANDARD CONDITIONS:

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

SITE SPECIFIC CONDITIONS:

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

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

EXHIBIT	DESCRIPTION
Α	Standard Conditions
В	Project Information
С	Site Plan
D	Tentative Tract Map
Е	Grading & Drainage Plan
F	Utility Plan
G	Site Sections
Н	Landscape Plan
I1-I3	Building 1 Floor Plans/ Elevations
J1-J3	Building 2 Floor Plans/Elevations
K1-K3	Building 3 Floor Plans/Elevations
L1-L3	Building 4 Floor Plans/Elevations
M1-M3	Building 5 Floor Plans/Elevations
N1-N3	Building 6 Floor Plans/Elevations
O1-O3	Building 7 Floor Plans/Elevations

- 3. PD 12-007 along with Tentative Tract 2919, allows for the subdivision of the 1-acre lot into 14 lots for the development of 14 townhomes (1 residence on each lot), as presented in the Exhibits listed above. With the approval of PD 12-007, the Planning Commission allows modifications from the development standards outlined in the Uptown Town Centre Specific Plan as follows:
 - a. Allow setbacks as shown on Exhibit B (Site Plan);
 - b. Allow parking as shown on Exhibit B (Site Plan), subject to the design changes required in Condition No. 4 of this resolution;
- 4. The site plan needs to be revised so that garage door setbacks from interior drives are either 5 feet or 20 feet, but nothing in between. Additionally, redesign shall not adversely affect private open space. The redesigned plans shall be reviewed and approved by the Development Review Committee, prior to the issuance of a building permit.
- 5. Prior to the issuance of a building permit, the following final details shall be submitted for review by the Development Review Committee (DRC):
 - a. Final site plan redesigned to comply with Condition No. 4, above.
 - b. architectural elevations;
 - c. Exterior light fixtures;
 - d. Final colors/materials;
 - e. Detailed landscape plan including transformer, backflow and other equipment screening; Note: Landscape plan is subject to the requirements within the LS Ordinance.
 - f. Fencing Plan
- 6. The final landscaping plan shall comply with the requirements with in the City Landscape and Irrigation Ordinance (Chapter 21.22B). A common landscape meter shall be provided to provide irrigation to all landscape areas that are not located within a private fenced yard area. All landscaping that is not located behind a private fenced yard area shall be under contract for common maintenance.
- 7. Vine Street shall be improved with curb, gutter, sidewalk and paving in accordance with plans approved by the City Engineer.
- 8. Existing sewer and water mains within the project must be relocated in accordance with plans approved by the City Engineer.
- 9. All existing overhead utility lines through and adjacent to the project shall be relocated underground.
- 10. Low impact development best management practices as outlined in the project submittals shall be incorporated into the project grading plans. Please note that it may be necessary to move the visitor parking and trash enclosure to the opposite side of the street in order to provide LID features where they are currently shown on the plan.

PASSED AND ADOPTED THIS 25th day of Februa	ary 2013 by the following roll call vote:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
V	INCE VANDERLIP, CHAIRMAN
ATTEST:	
ED GALLAGHER, PLANNING COMMISSION SECRI	ETARY

EXHIBIT A OF RESOLUTION

CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS

<u> </u>	<u>lanned</u>	Development	Conditional Use Permit	
☐ Tentative Parcel Map			☐ Tentative Tract Map	
Approval Body: Planning Commission			Date of Approval: Feb. 25, 2013	
Applicant: Vernon			Location: 38 th Street	
<u>APN</u>	<u>:</u>			
abov the p	e referei project ca	nced project. The checked cor	hecked are standard conditions of approval for the aditions shall be complied with in their entirety before specifically indicated. In addition, there may be site project in the resolution.	
			ENT - The applicant shall contact the Community for compliance with the following conditions:	
A.	GENE	ERAL CONDITIONS - PD/CUP	:	
	1.	request is filed with the C	expire on <u>Feb. 25, 2015</u> unless a time extension Community Development Department, or a State ension is applied prior to expiration.	
	2.	and unless specifically provide	nd maintained in accordance with the approved plans ded for through the Planned Development process with any sections of the Zoning Code, all other applicable Specific Plans.	
	3.	and expenses, including attor of City in connection with City in any State or Federal cour project. Owner understands a	aw, Owner agrees to hold City harmless from costs rney's fees, incurred by City or held to be the liability y's defense of its actions in any proceeding brough rt challenging the City's actions with respect to the and acknowledges that City is under no obligation to the hallenging the City's actions with respect to the	

4.	Any site specific condition imposed by the Planning Commission in approving this project (Conditional Use Permit) 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 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.	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.
6.	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.
7.	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.
8.	Prior to the issuance of a Building Permit a landscape and irrigation plan consistent with the Landscape and Irrigation Ordinance, shall be submitted for City review and approval. The plan needs to be designed in a manner that utilizes drought tolerant plants, trees and ground covers and minimizes, if not eliminates the use of turf. The irrigation plan shall utilize drip irrigation and limit the use of spray irrigation. All existing and/or new landscaping shall be installed with automatic irrigation systems.
9.	A reciprocal parking and access easement and agreement for site access, parking, and maintenance of all project entrances, parking areas, landscaping, hardscape, common open space, areas and site lighting standards and fixtures, shall be recorded prior to or in conjunction with the Final Map. Said easement and agreement shall apply to all properties, and be referenced in the site Covenants, Conditions and Restrictions (CC&Rs).
10.	All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
11.	For commercial, industrial, office or multi-family projects, all refuse enclosures are required to provide adequate space for recycling bins. The enclosure shall be architecturally compatible with the primary building. Gates shall be view obscuring and constructed of durable materials. Check with Paso Robles Waste

size of containers to be stored in the enclosure. \boxtimes 12. For commercial, industrial, office or multi-family projects, 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. 13. 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. \boxtimes 14. 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. 15. 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. \boxtimes 16. 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. \boxtimes 17. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No.835 N.S., 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. 18. No storage of trash cans or recycling bins shall be permitted within the public right-of-way. \boxtimes 19. Prior to recordation of the map or prior to occupancy of a project, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.

Disposal to determine the adequate size of enclosure based on the number and

	20.	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.
	21.	Prior to the issuance of building permits, the ☐ Development Review Committee shall approve the following: ☐ Planning Division Staff shall approve the following:
		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:
B.	GENE	RAL CONDITIONS – TRACT/PARCEL MAP:
	1.	In accordance with Government Section 66474.9, the subdivider shall defend, indemnify and hold harmless the City, or its agent, officers and employees, from any claim, action or proceeding brought within the time period provided for in Government Code section 66499.37, against the City, or its agents, officers, or employees, to attack, set aside, void, annul the City's approval of this subdivision. The City will promptly notify subdivider of any such claim or action and will cooperate fully in the defense thereof.
	2.	The Covenants, Conditions, and Restrictions (CC&Rs) and/or Articles Affecting Real Property Interests are subject to the review and approval of the Community Development Department, the Public Works Department and/or the City Attorney. They shall be recorded concurrently with the Final Map or prior to the issuance of building permits, whichever occurs first. A recorded copy shall be provided to the affected City Departments.
	3.	The owner shall petition to annex residential Tract (or Parcel Map) into the City of Paso Robles Community Facilities District No. 2005-1 for the purposes of mitigation of impacts on the City's Police and Emergency Services Departments.
	4.	Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.
	5.	The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

		G DIVISION- The applicant shall contact the Engineering Division, (805) 237- pliance with the following conditions:
All cor	nditions i	marked are applicable to the above referenced project for the phase indicated.
C.	PRIOR	R TO ANY PLAN CHECK:
	1.	The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.
D.	PRIOR	R 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.	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 its removal.
	3.	A complete grading and drainage plan shall be prepared for the project by a registered civil engineer and subject to approval by the City Engineer. The project shall conform to the City's Storm Water Discharge Ordinance.
	4.	A Preliminary Soils and/or Geology Report providing technical specifications for grading of the site shall be prepared by a Geotechnical Engineer.
	5.	A Storm Water Pollution Prevention Plan per the State General Permit for Strom Water Discharges Associated with Construction Activity shall be provided for any site that disturbs greater than or equal to one acre, including projects that are less than one acre that are part of a larger plan of development or sale that would disturb more than one acre.
E.	PRIOR	R TO ISSUANCE OF A BUILDING PERMIT:
	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. \boxtimes 2. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility. Landscape and irrigation plans for the public right-of-way shall be incorporated into 3. the improvement plans and shall require approval by the Streets Division Supervisor and the Community Development Department. In a special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM) the owner shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor or civil engineer licensed in the State of California. F. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR RECORDATION OF THE FINAL MAP: The Planning Commission has made a finding that the fulfillment of the construction requirements listed below are a necessary prerequisite to the orderly development of the surrounding area. \boxtimes 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services. \boxtimes 2. All public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance. \boxtimes 3. The owner shall offer to dedicate and improve the following street(s) to the standard indicated: Vine Local Street Name City Standard Standard Drawing No. 4. If, at the time of approval of the final map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act. Bonds required and the amount shall be as follows: Performance Bond......100% of improvement costs. Labor and Materials Bond......50% of performance bond. 5. If the existing City street adjacent to the frontage of the project is inadequate for the traffic generated by the project, or will be severely damaged by the

construction, the applicant shall excavate the entire structural section and replace it with a standard half-width street plus a 12' wide travel lane and 8' wide graded

(Adopted by Planning Commission Resolution _____)

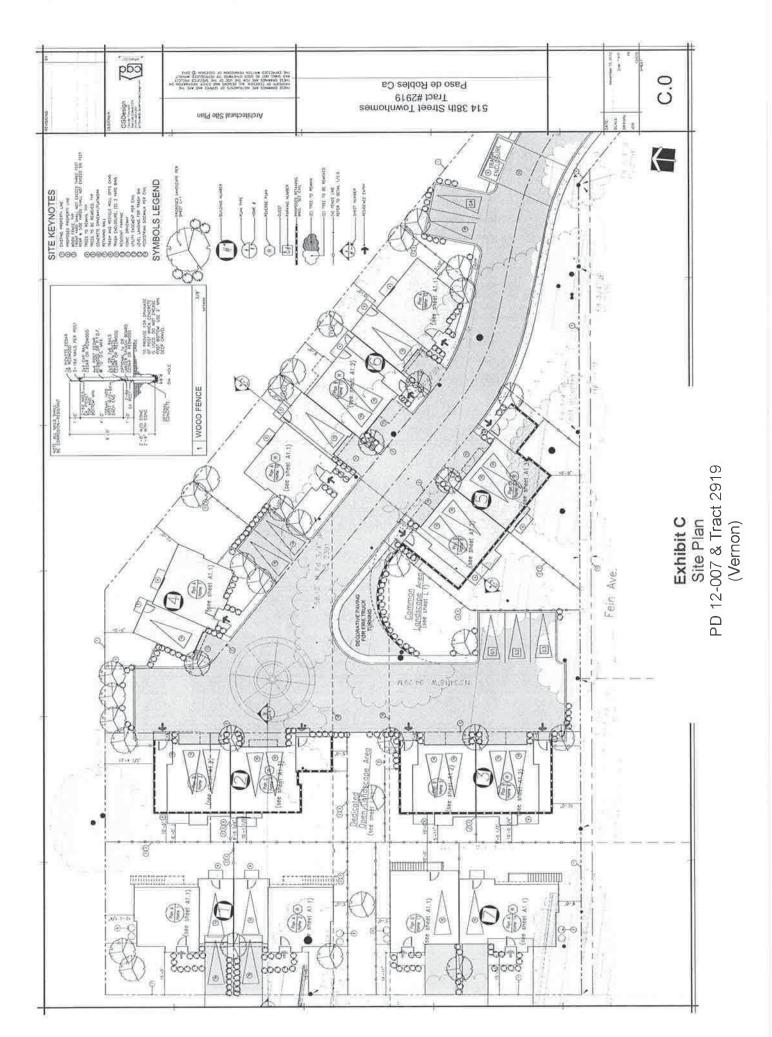
		shoulder adequate to provide for two-way traffic.
	6.	If the existing pavement and structural section of the City street adjacent to the frontage of the project is adequate, the applicant shall provide a new structural section from the proposed curb to the edge of pavement and shall overlay the existing paving to centerline for a smooth transition.
	7.	Due to the number of utility trenches required for this project, the City Council adopted Pavement Management Program requires a pavement overlay on along the frontage of the project.
	8.	The applicant shall install all utilities. 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.
	9.	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; c. Sewer Facilities Easement; d. Landscape Easement; e. Storm Drain Easement.
	10.	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/open space landscaping; c. Wall maintenance in conjunction with landscaping; d. Graffiti abatement; e. Maintenance of open space areas.
	11.	For a building with a Special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM), the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a lands surveyor or civil engineer licensed in the State of California.
\boxtimes	12.	All final property corners shall be installed.
	13.	All areas of the project shall be protected against erosion by hydro seeding or landscaping.
	14.	All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood

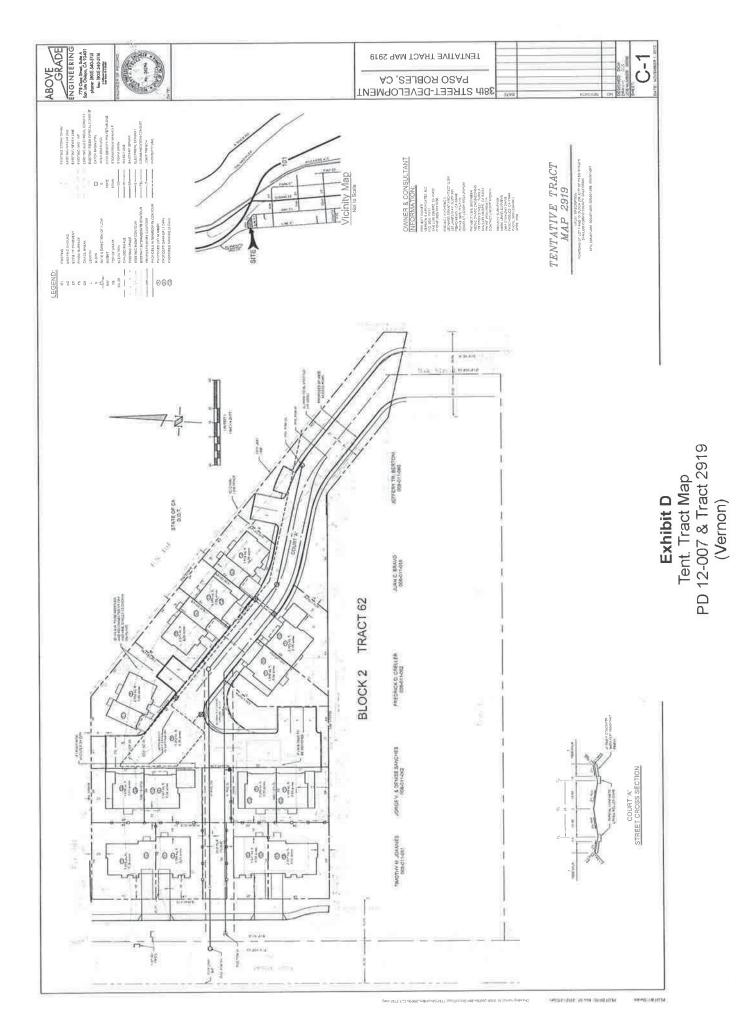
		gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.
	15.	Clear blackline mylars and paper prints of record drawings, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. An electronic autocad drawing file registered to the California State Plane – Zone 5 / NAD83 projected coordinate system, units in survey feet, shall be provided.
PAS the	O ROBL	ES DEPARTMENT OF EMERGENCY SERVICES- The applicant shall contact ent of Emergency Services, (805) 227-7560, for compliance with the following
G . (GENERAL	Prior to the start of construction: ☐ Plans shall be reviewed, approved and permits issued by Emergency Services for underground fire lines. ☐ Applicant shall provide documentation to Emergency Services that required fire flows can be provided to meet project demands. ☐ Fire hydrants shall be installed and operative to current, adopted edition of the California Fire Code. ☐ A based access road sufficient to support the department's fire apparatus (HS-20 truck loading) shall be constructed and maintained for the duration of the construction phase of the project. ☐ Access road shall be at least twenty (20) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance.
2.		Provide central station monitored fire sprinkler system for all residential, commercial and industrial buildings that require fire sprinklers in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code. Plans shall be reviewed, approved and permits issued by Emergency Services for the installation of fire sprinkler systems.
3.		Provide central station monitored fire alarm system for all residential, commercial and industrial buildings that require fire alarm system in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.
4.		If required by the Fire Chief, provide on the address side of the building if applicable: Fire alarm annunciator panel in weatherproof case.

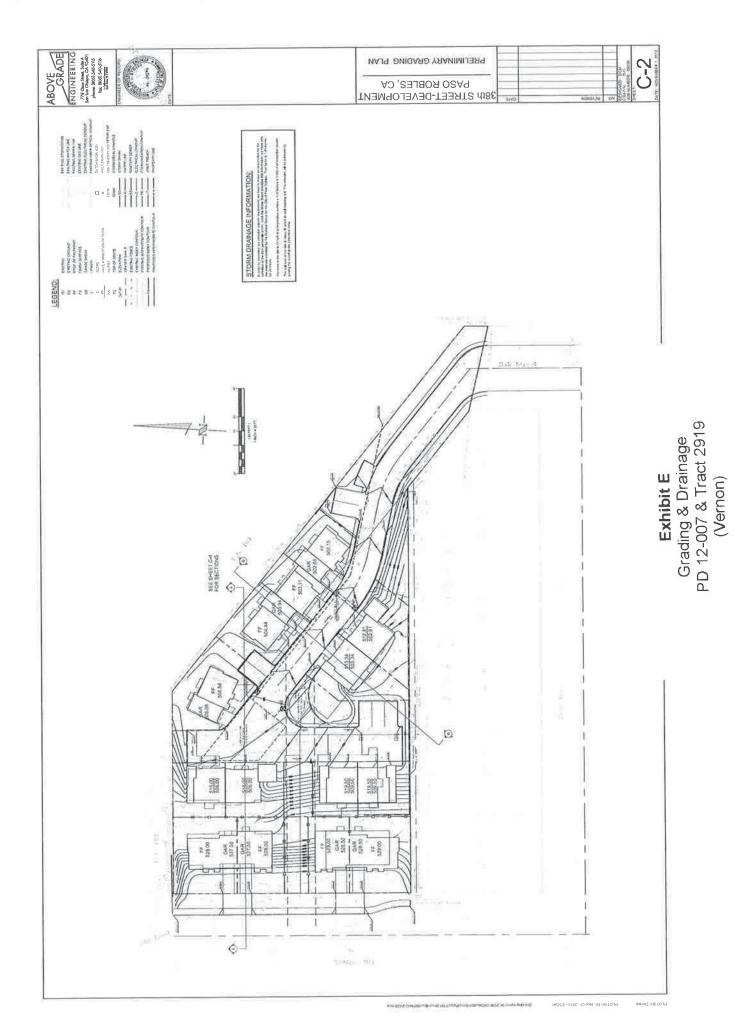
(Adopted by Planning Commission Resolution _____)

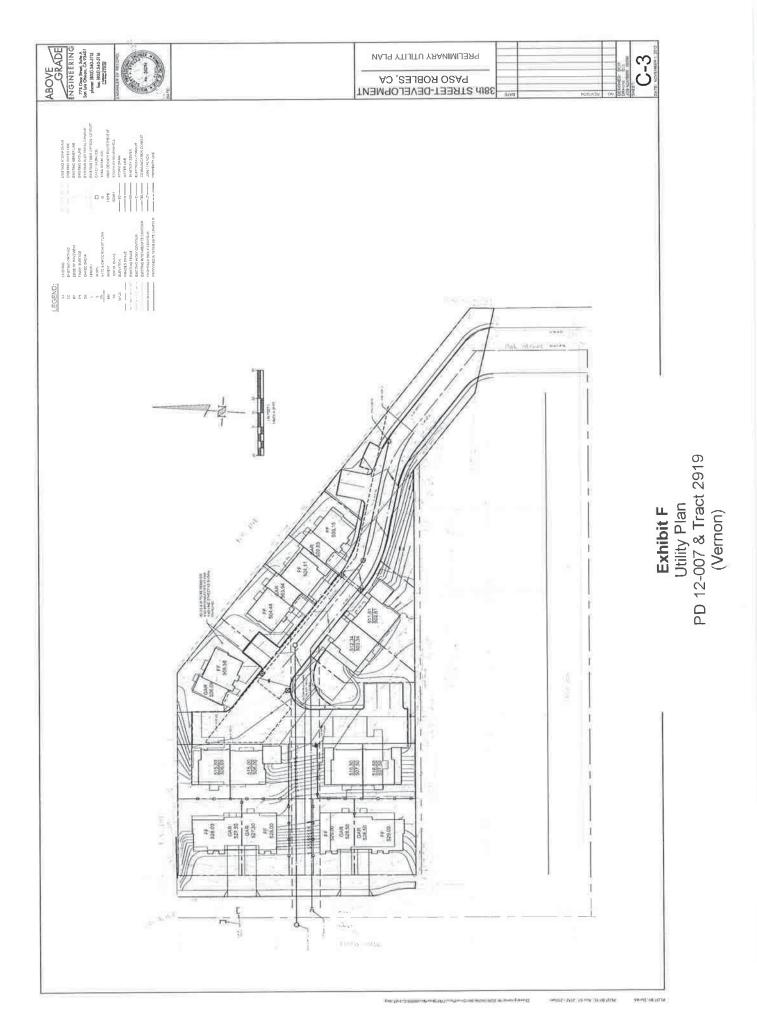
	Knox box key entry box or system.Fire department connection to fire sprinkler system.
5.	Provide temporary turn-around to current City Engineering Standard for phased construction streets that exceed 150 feet in length.
6.	Project shall comply with all requirements in current, adopted edition of California Fire Code and Paso Robles Municipal Code.
7.	Prior to the issuance of Certificate of Occupancy:
	Final inspections shall be completed on all underground fire lines, fire sprinkler systems, fire alarm systems and chemical hood fire suppression systems.
	Final inspections shall be completed on all buildings.

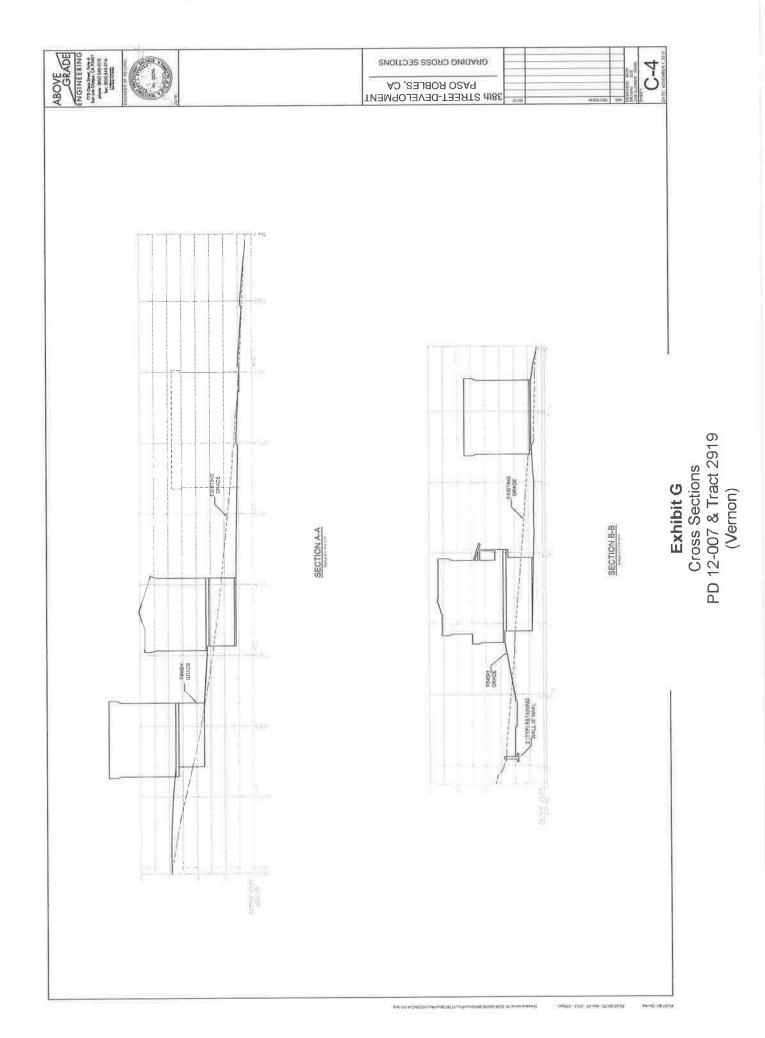


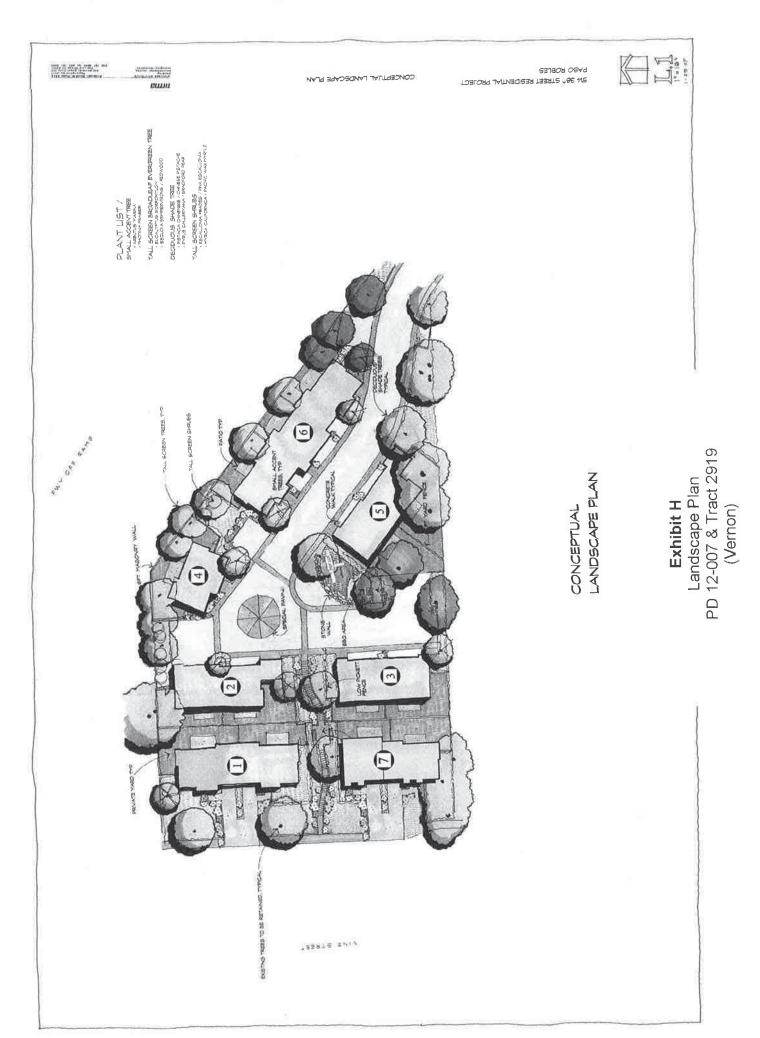


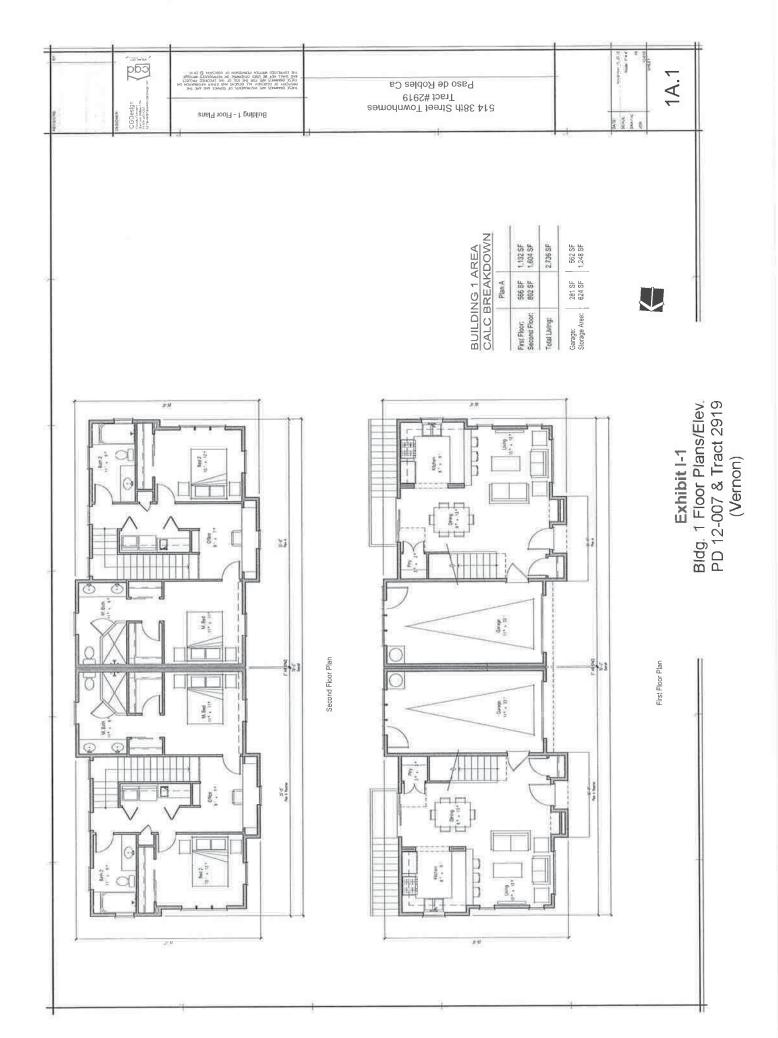


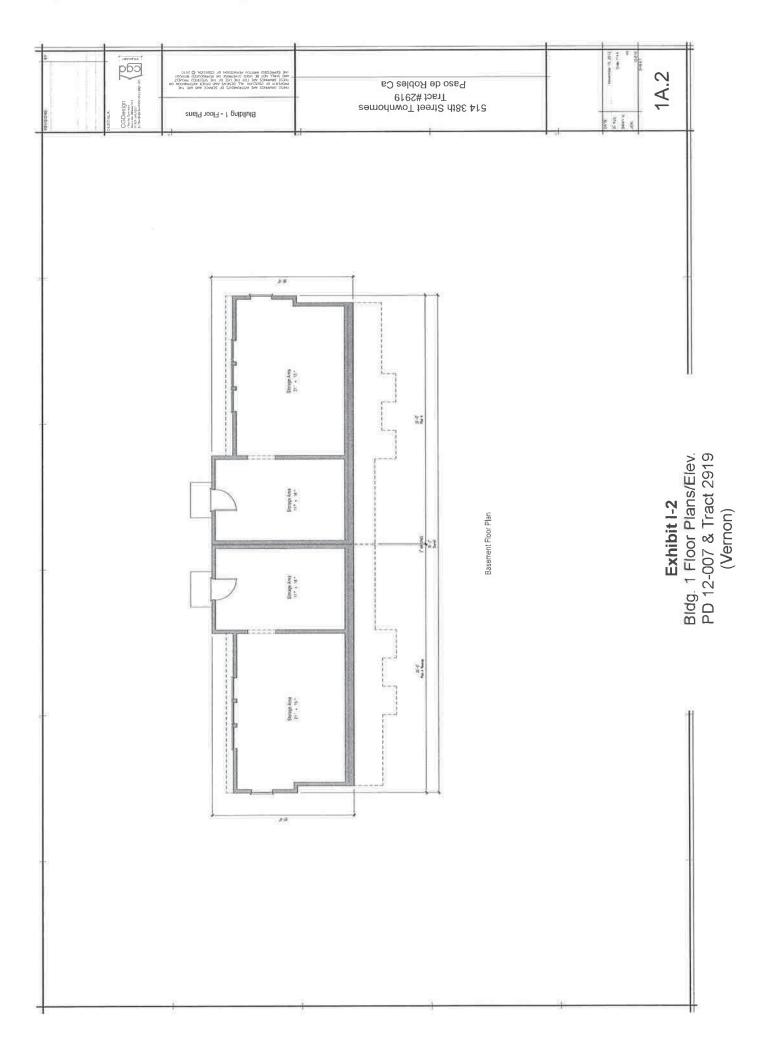


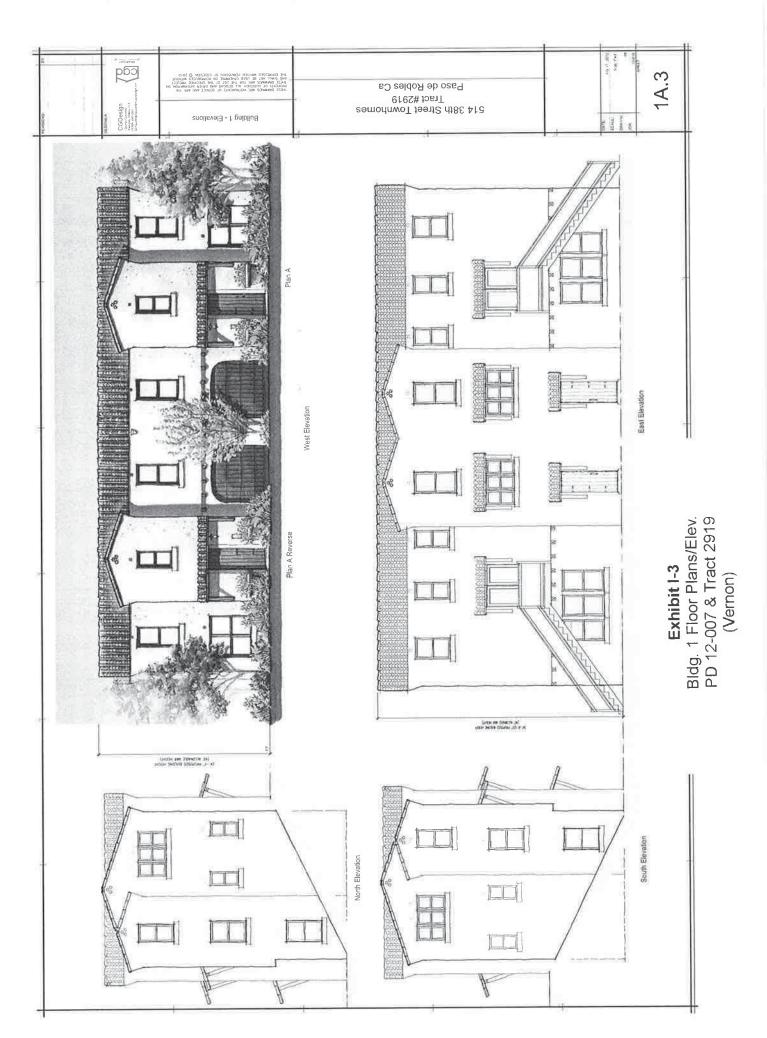


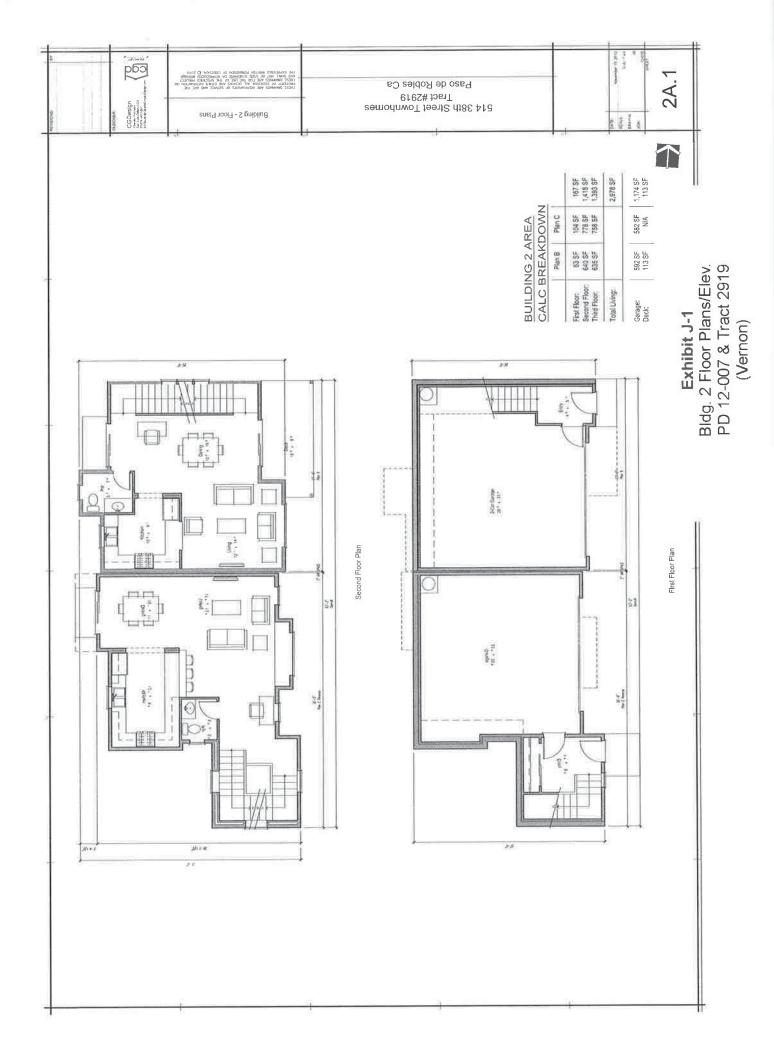


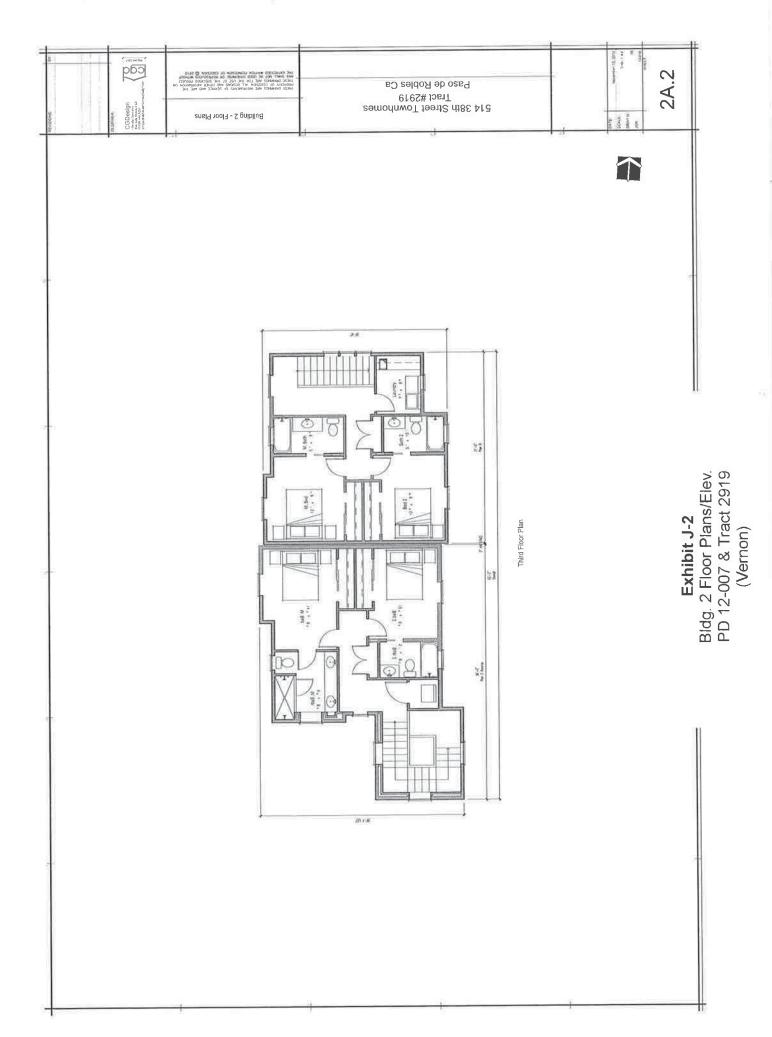




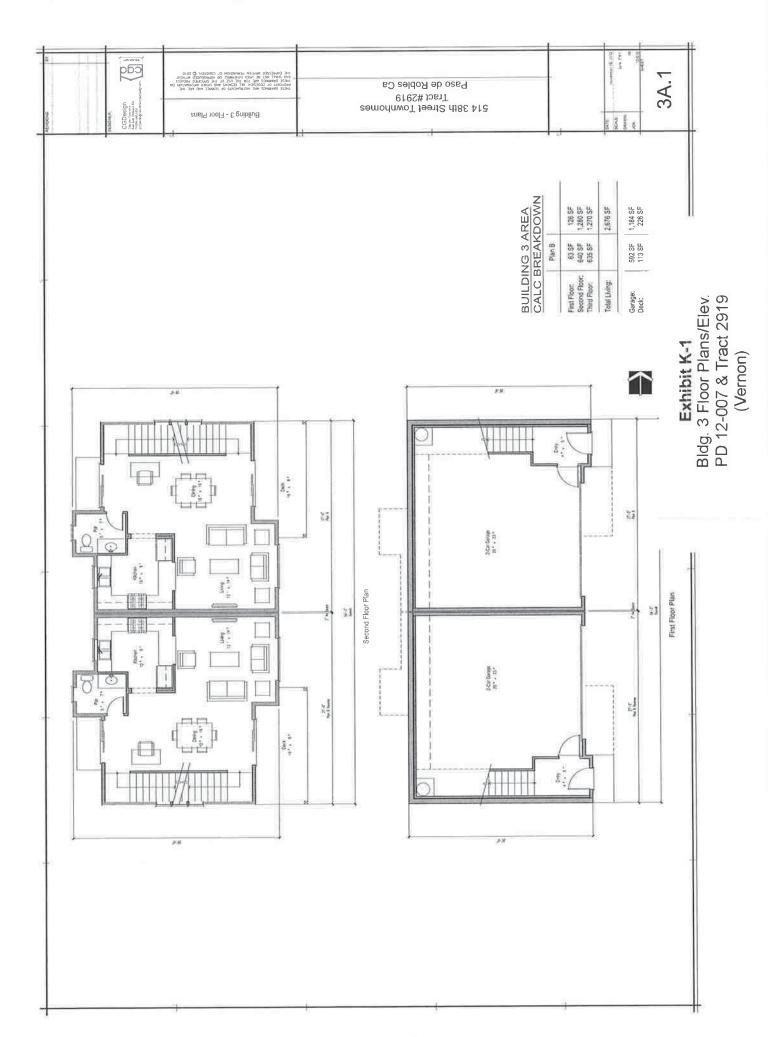


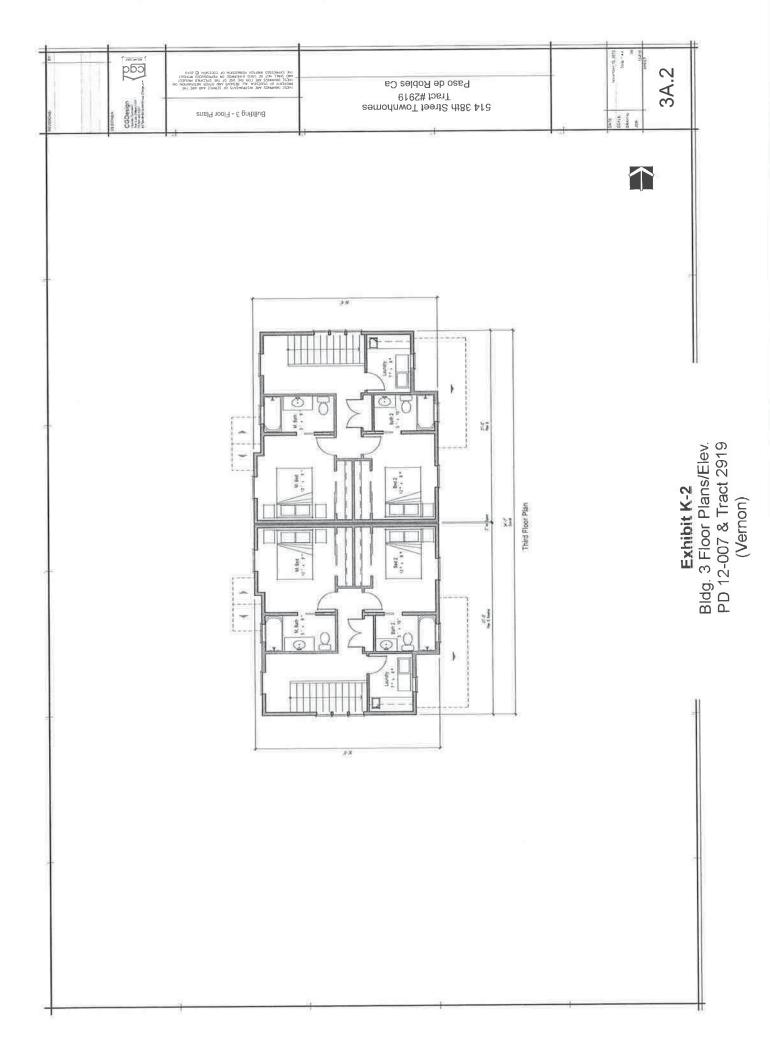


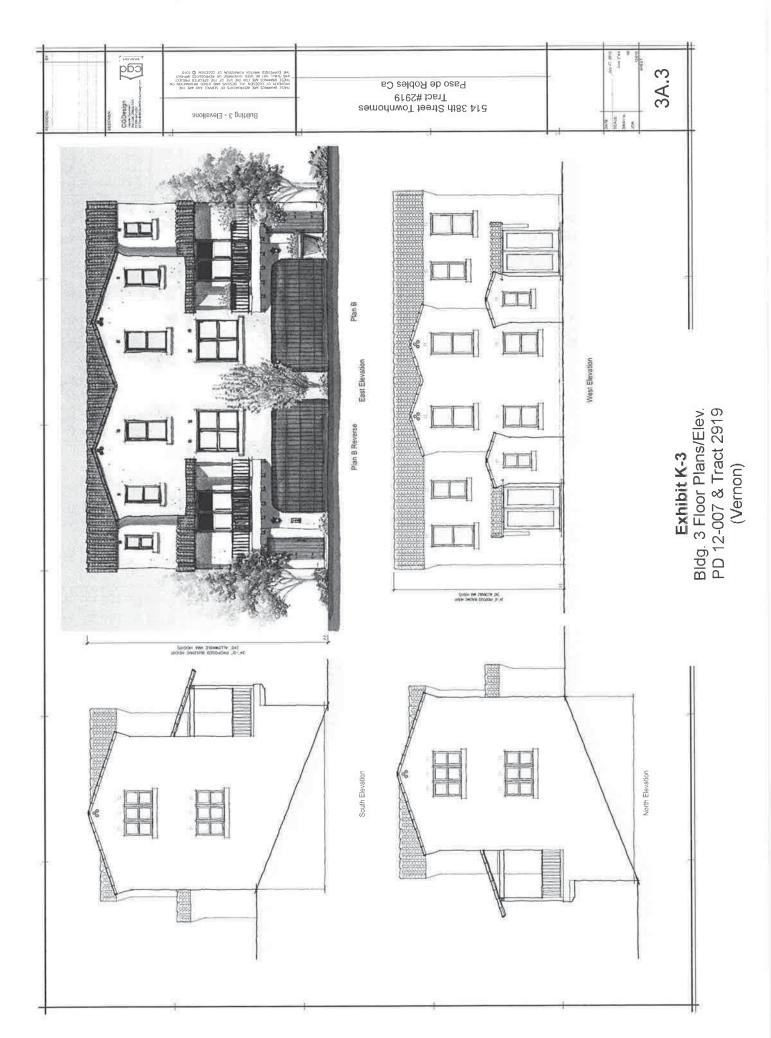


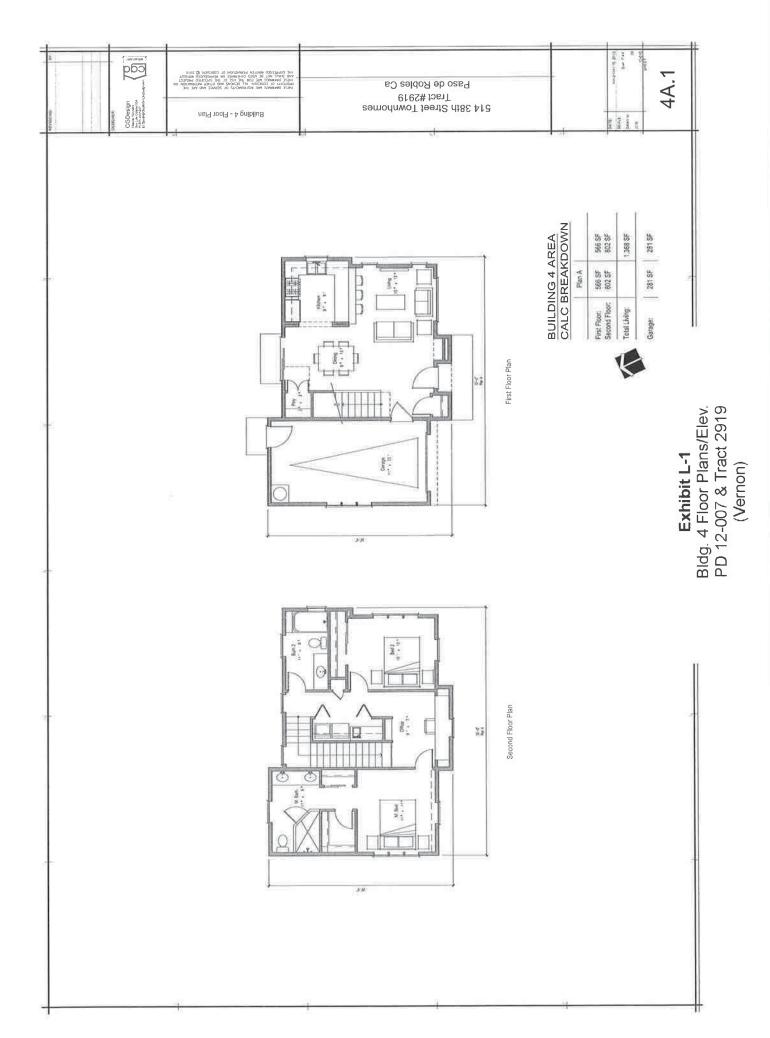


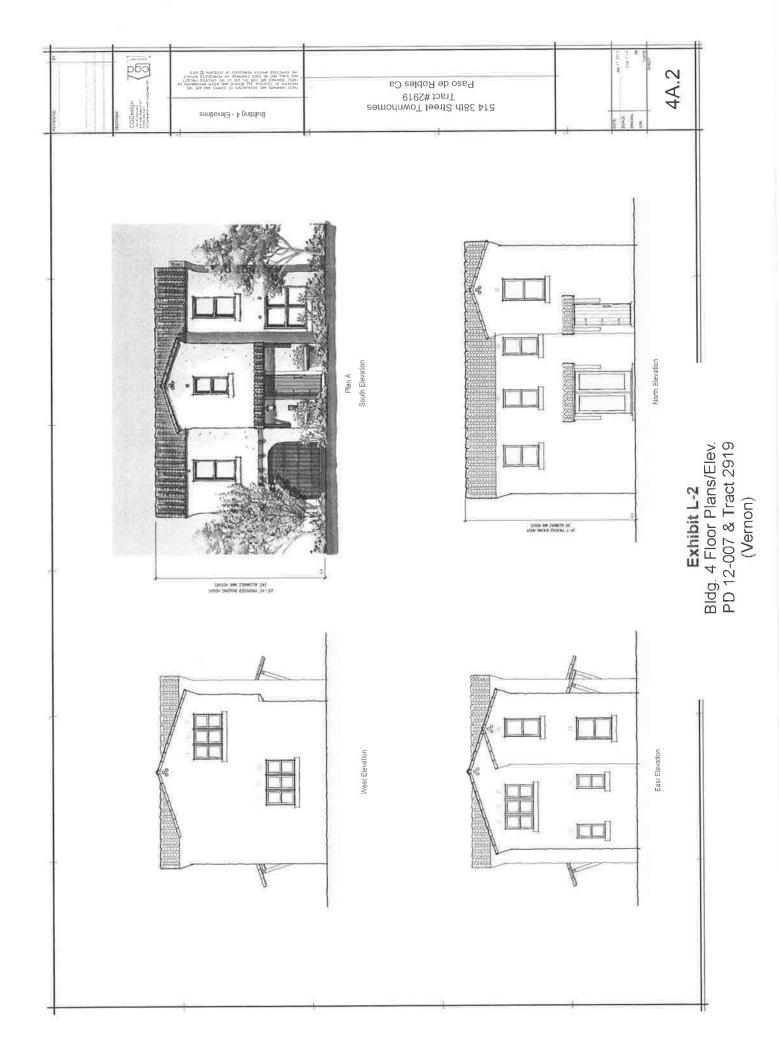


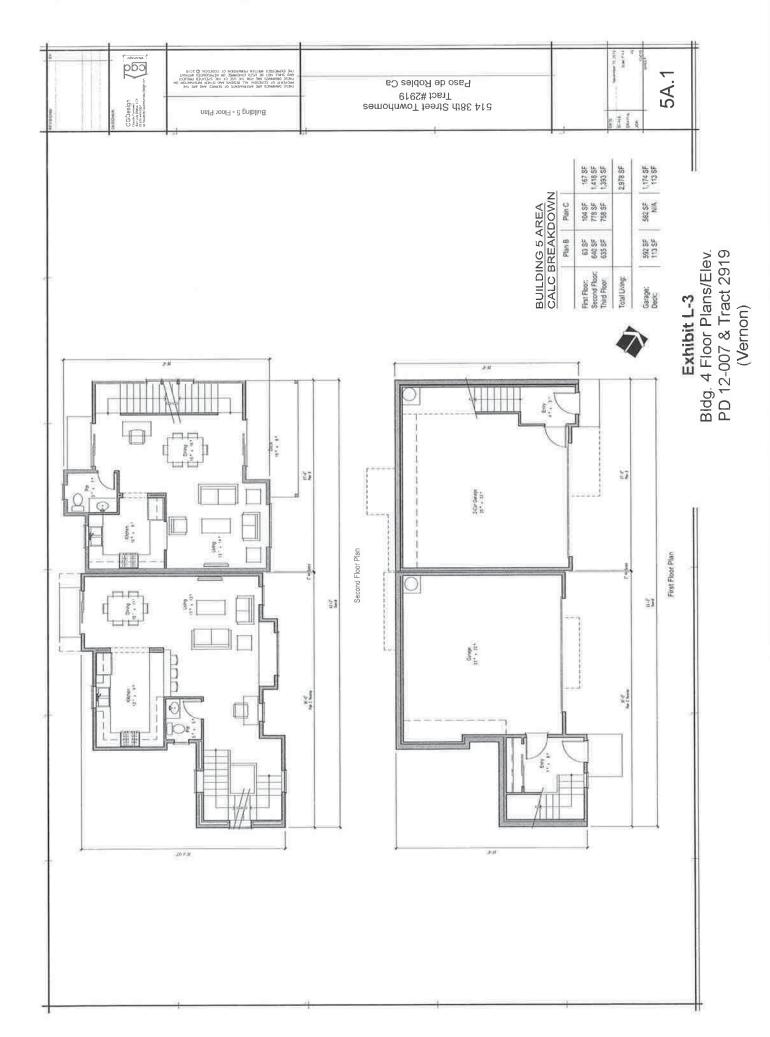


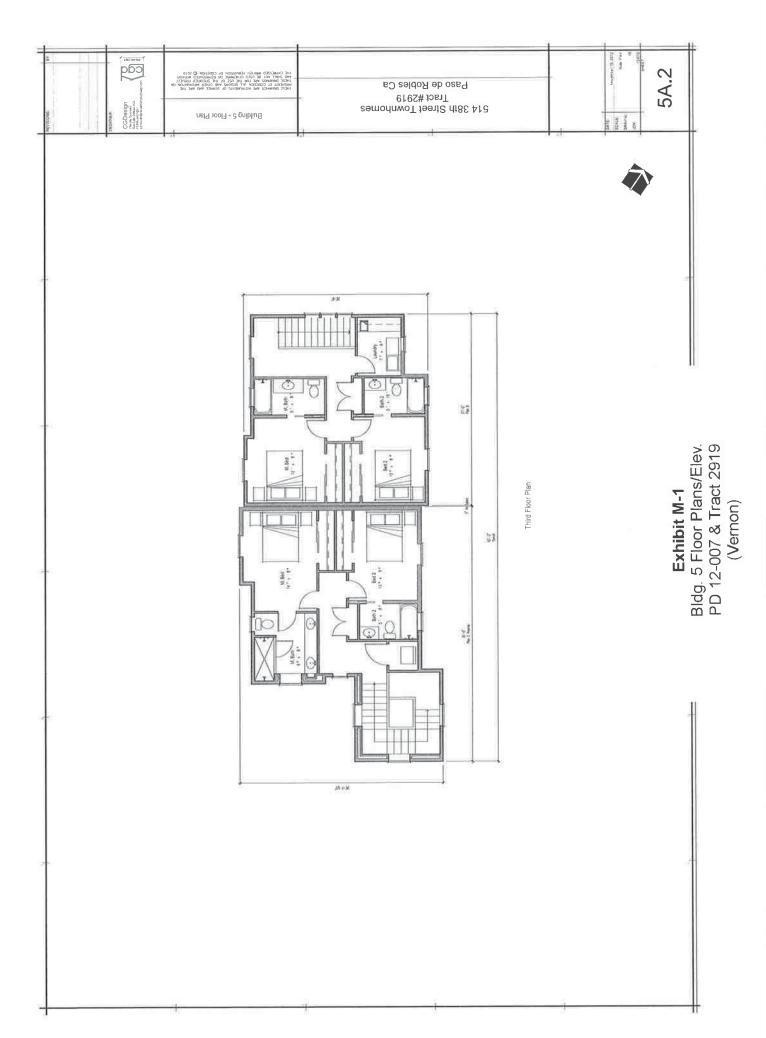


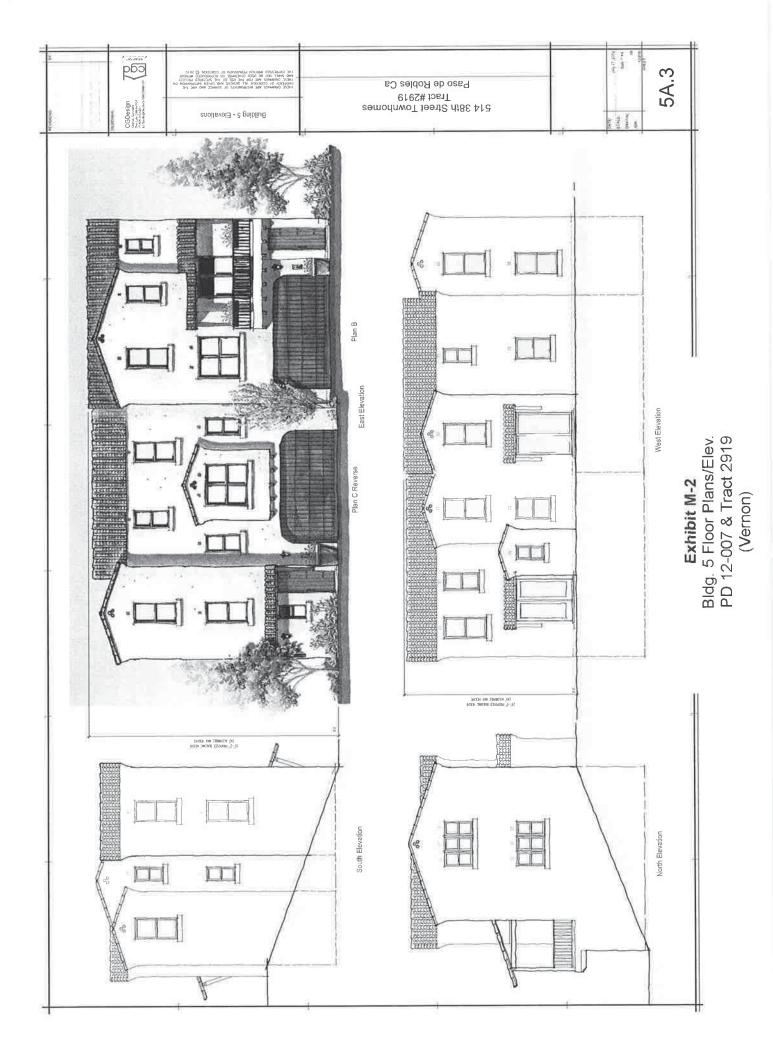


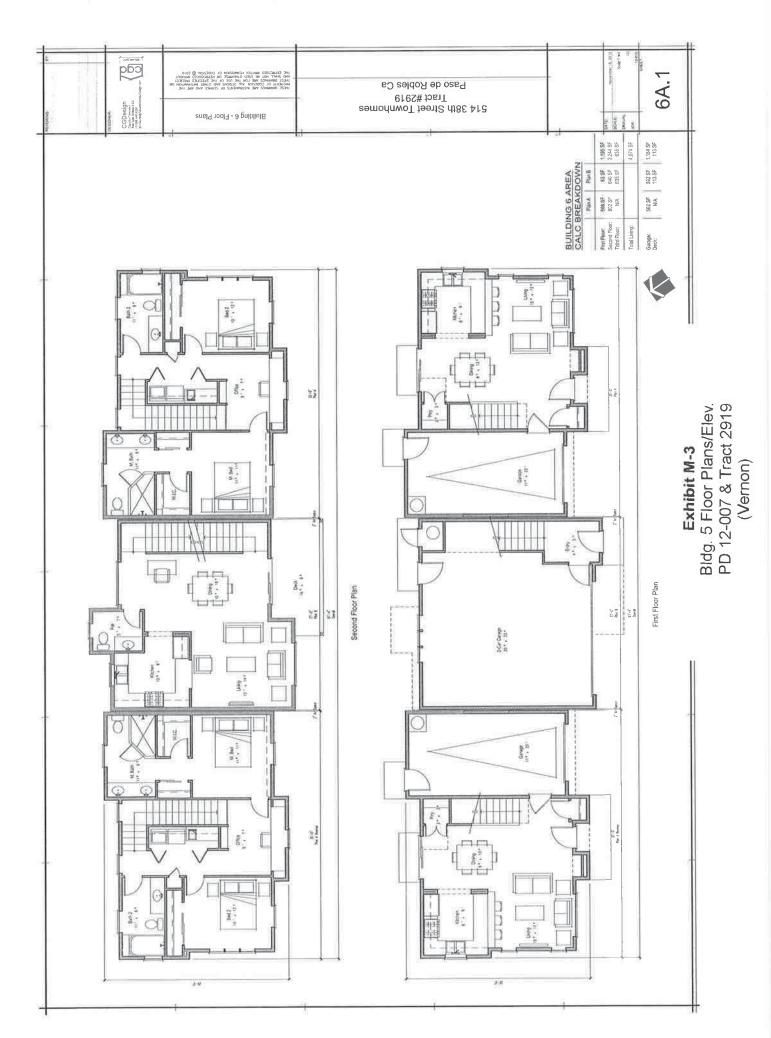


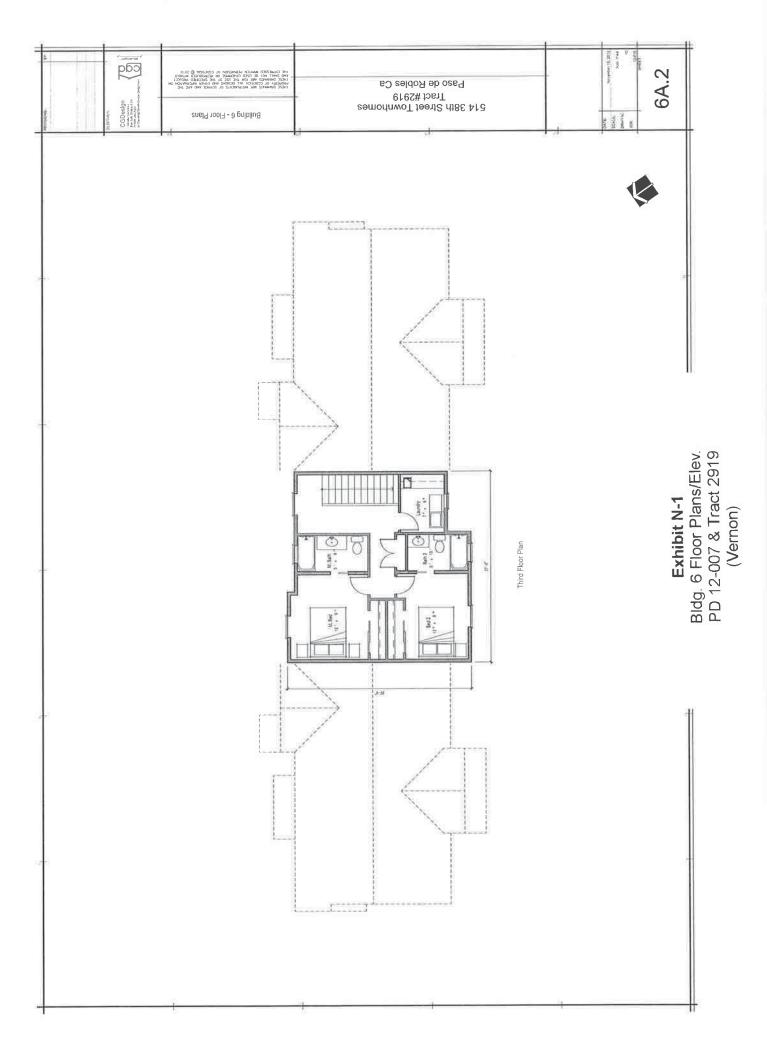


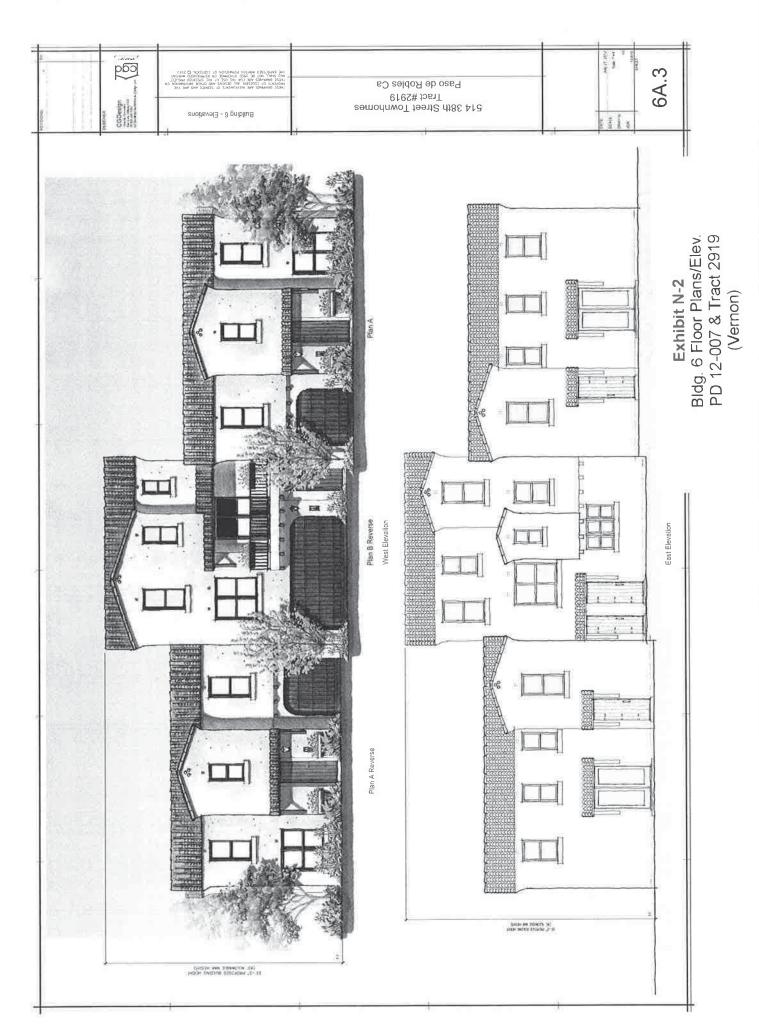


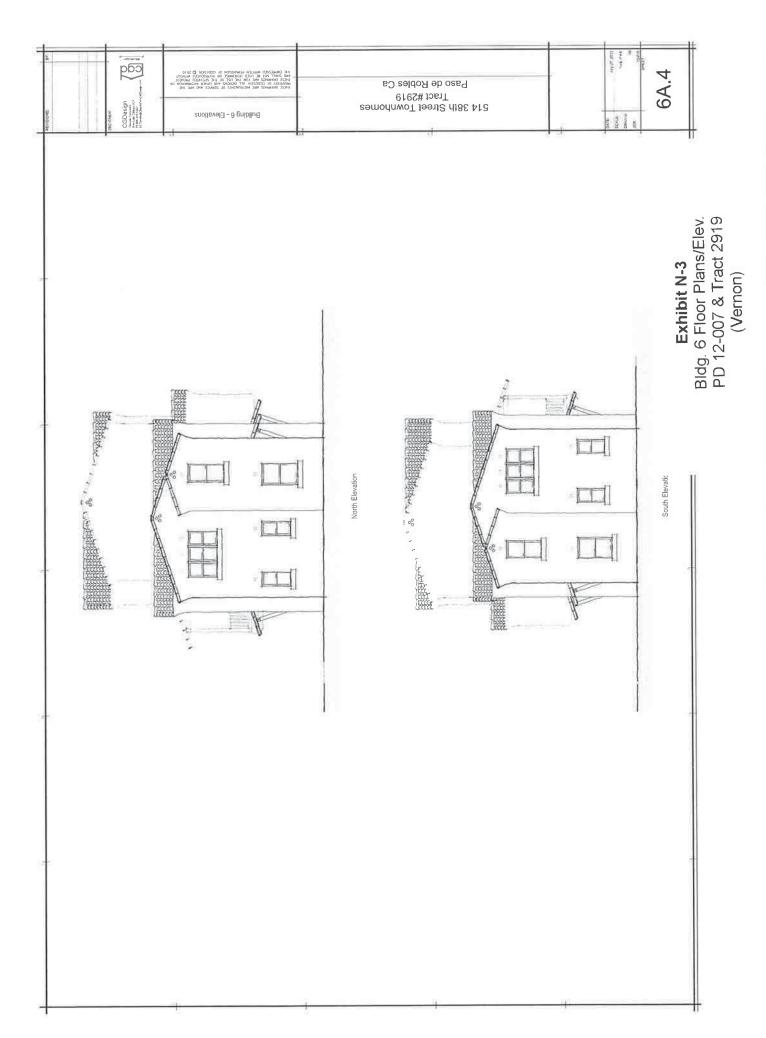


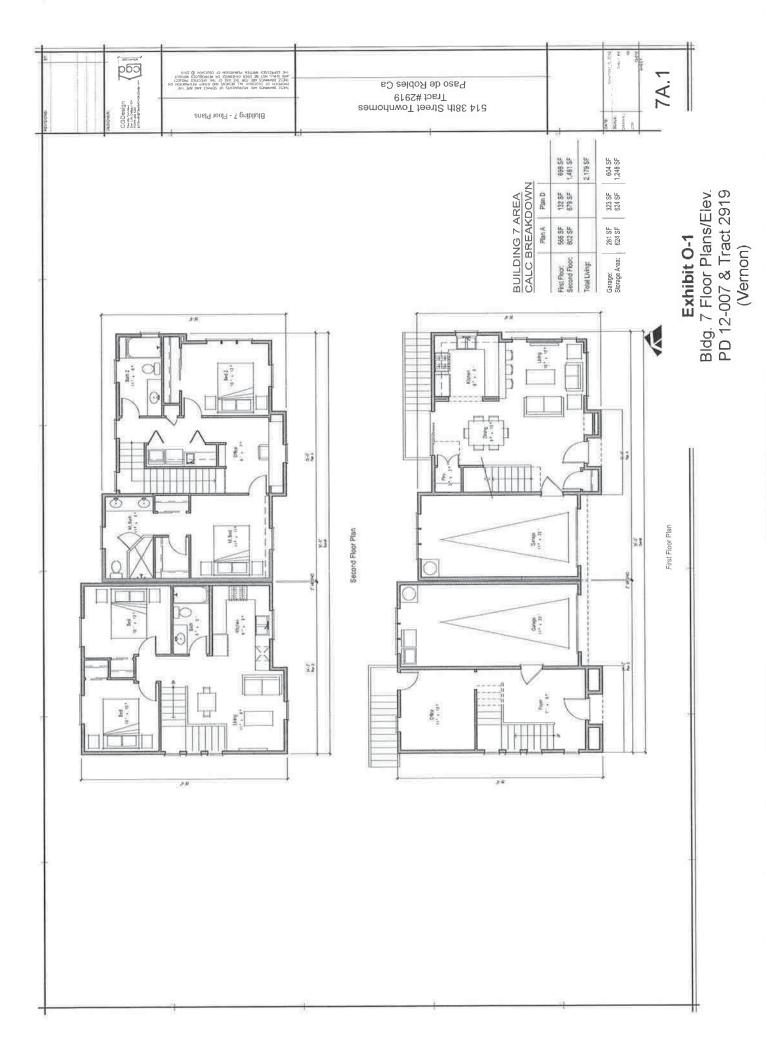


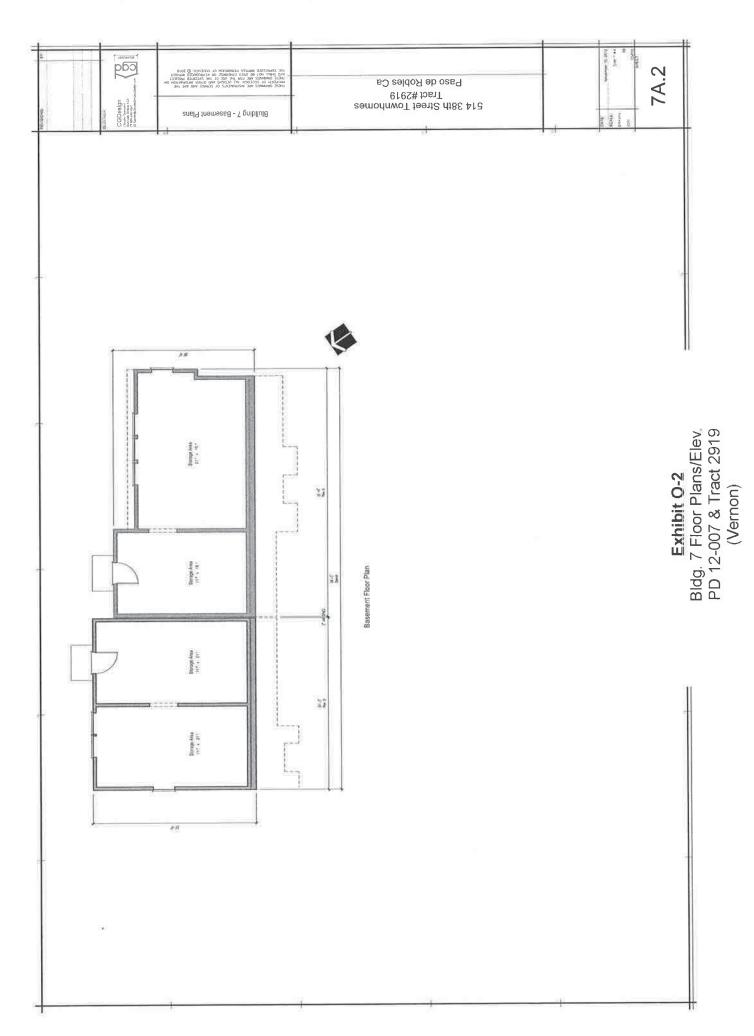


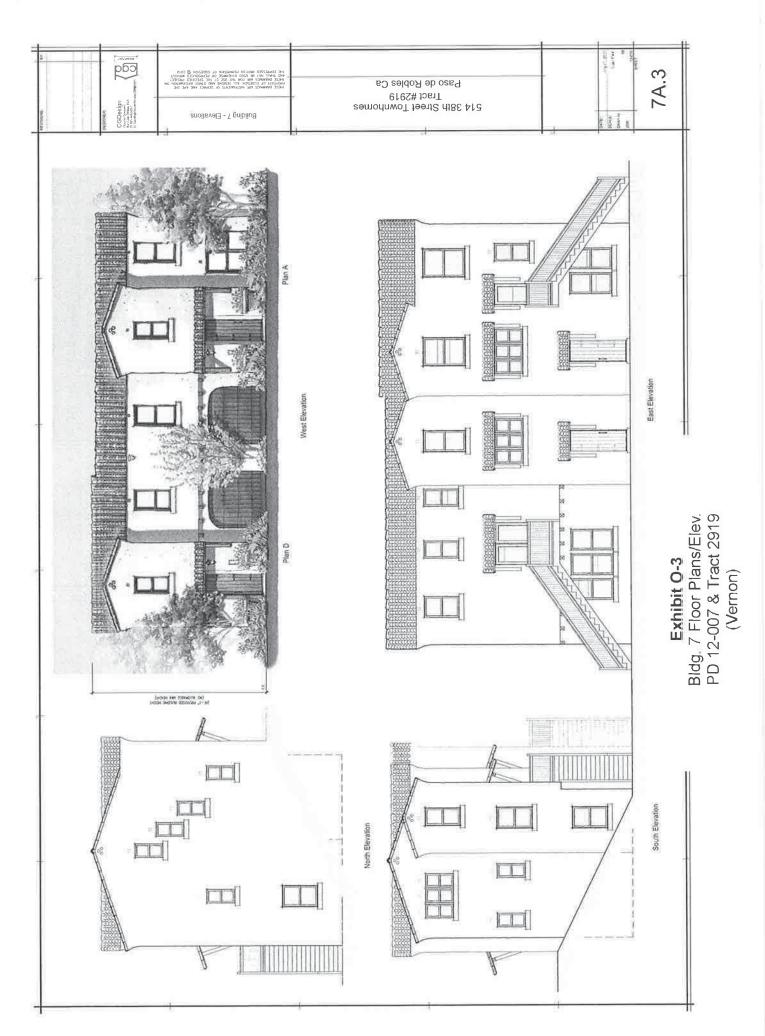












AFFIDAVIT

OF MAIL NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, <u>Theresa Variano</u>, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for <u>Planned Development 12-007 & Tentative Tract Map TR2919 (Vernon)</u> on this 11th day of February, <u>2013.</u>

City of El Paso de Robles Community Development Department Planning Division

Theresa Varian

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

Newspaper:	Tribune
Date of Publication:	February 13, 2013
Hearing Date:	February 25, 2013 (Planning Commission)
	(Training Commission)
Project:	Planned Development 12-007 and Tentative Tract Map TR2919 (Vernon)
I Thomaso V	Coniona amplayed of the Companyity
I, <u>Theresa Variano</u> , employee of the Community	
Development Department, Planning Division, of the City	
of El Paso de Robles, do hereby certify that this notice is	
a true copy of a published legal newspaper notice for the	
above named project.	
Signed: Theresa Variano	

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider Planned Development 12-007 and Tentative Tract Map 2919, a request filed by Brad Vernon to subdivide the approximate 1-acre site into 14 lots for the construction of 14 townhome units. The project is located at 514 - 38th Street. (APN: 008-011-088, 089, 090 & 091)

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Monday, February 25, 2013, at which time all interested parties may appear and be heard.

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

Questions about this application may be directed to the Community Development Department at (805) 237-3970 or via email at planning@pretty.com. Comments on the proposed Development Plan and Tentative Tract map may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to planning@proily.com provided that such comments are received prior to the time of the hearing.

If you challenge the Development Plan or Tentative Tract Map applications 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 February 13, 2013 7013331