

# City of Paso Robles Planning Commission Agenda Report

From: Darcy Delgado, Assistant Planner

Subject: Planned Development Amendment (PD 14-003) – San Antonio Winery

2610 Buena Vista Drive / APN 025-410-014

Applicant – San Antonio Winery Inc., c/o Angle Land Use Entitlement

A request to amend the existing Planned Development (PD 14-003) to establish a restaurant use within the existing San Antonio Winery. As part of the request, proposed changes to the building would include enclosing an existing 1,352 square foot patio located in the back of the tasting room and reconfiguration of the kitchen prep area.

Date: March 28, 2017

#### **Facts**

- 1. The project site is located at 2610 Buena Vista Drive on the northwest corner of Buena Vista Drive and Highway 46 East (see Vicinity Map, Attachment 1).
- 2. The site currently operates as a wine tasting room, and was originally approved under Conditional Use Permit 86-005. This entitlement does not allow a restaurant use as an accessory use to the wine tasting room.
- 3. In 2015, Planned Development (PD 14-003) was approved in conjunction with Conditional Use Permit (CUP 14-006) via Resolution No. 15-062 to allow for the expansion of the existing use of the property (e.g. wine tasting room) by adding approximately 12,000 sf of new development, including a restaurant, three boutique retail spaces, and four residential units (See Phasing Plan, Exhibit C of Attachment 2). PD 14-003 and CUP 14-006 also coincide with General Plan Amendment 14-002, Rezone 14-001, Specific Plan Amendment 14-002, as follows:
  - **General Plan Amendment 14-002** Land Use Element of the General Plan to modify the existing RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed-Use Overlay (MU) (i.e. RMF-8-MU); and
  - **Rezone 14-001** Zoning Map amendment to modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed-Use Overlay (MU) (i.e. R2-MU); and
  - **Specific Plan Amendment 14-002** An amendment to the Borkey Area Specific Plan, Subarea D, to modify the list of land uses conditionally permitted to allow multi-family residential units and mixed use development (i.e. four residential units, commercial retail, restaurants, and wine tasting); and
  - **Planned Development 14-003** a request develop approximately 12,000 sf of new development, including a restaurant, (3) three boutique retail spaces, and (4) four residential units; and
  - Conditional Use Permit 14-006 a request to expand the list of conditionally permitted uses for this property.

- 4. By amending Planned Development 14-003, the above entitlements will still remain in effect, and San Antonio Winery's tasting room facility will be allowed to establish a restaurant within the existing building by enclosing an existing 1,352 square foot patio located in the back of the tasting room and reconfiguring the kitchen prep area.
- 5. The scope of work for Planned Development Amendment 14-003 includes enclosing the 1,352 sf patio area in the back of the tasting room and reconfiguration of the kitchen prep area (see Phasing Plan and Phase 1 Floor Plan, Exhibits C and D of Attachment 2). The proposed building alterations would use the same exterior finish materials and color scheme as the existing San Antonio Winery (see Phase 1 Building Elevations, Exhibit E of Attachment 2). Additionally, the restaurant's hours will coincide with the wine tasting room hours for both normal tasting room hours and private events by club members, thus the restaurant will be an ancillary use available to tasting patrons and club members only.
- 6. As part of PD 14-003, the site is required to have 56 parking spaces to serve the future restaurant, retail, and residential uses in addition to serving the existing wine tasting room. Since the project is converting 1,352 sf of the existing floor area from wine tasting use to restaurant use, an additional three (3) parking spaces would be required. The project will be providing a total of 61 parking spaces, therefore meeting the parking requirements. The parking space standards and calculation of required spaces for existing and new uses are as follows:

Land Use	Parking Standard	Total Required Number of Spaces
• Residences: (1) 2-bed unit (3) 1-bed units	1.5 spaces per 1-bed unit 2 spaces per 2- bed unit	6
Commercial Retail	3 spaces per 1,000 sf	9
Restaurant	5 spaces per 1,000 sf	31
Wine Tasting Room (including storage area)	3 spaces per 1,000 sf wine tasting 1 space per 5,000 sf wine storage	10
Total Parking Spaces Required:		56

- 7. The applicant has requested as part of the PD Amendment approval to also extend the entitlements for PD 14-003 (Phase 2) to two years from the date of approval, meaning both Phase 1 and Phase 2 would expire at the same time, unless a time extension request is approved (see Phasing Plan, Exhibit C of Attachment 2). Completion of work for one phase of the project will not vest the other; therefore, each phase will be required to have a building permit pulled in order for that phase to be vested.
- 8. The Development Review Committee (DRC) reviewed this project on March 20, 2017, and were in favor to the Planned Development Amendment request.

9. In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15301, this project is Categorically Exempt (Class 1, Minor Alterations of an Existing Building), from environmental review, and no environmental analysis is required.

#### **Options**

After consideration of any public testimony, the Planning Commission should consider the following options:

- 1. Adopt Draft Resolution A (Attachment 2), approving Planned Development Amendment (PD 14-003, CUP 14-006).
- 2. Amend, modify or reject the above noted option.
- 3. Refer the project back to staff for additional analysis on specific issues identified, and continue the public hearing to a date-certain.

# **Analysis and Conclusions**

#### **Project Summary**

For the Planning Commission to consider an application to amend the existing Planned Development (PD 14-003) to establish a restaurant use within the existing San Antonio Winery. As part of the request, proposed changes to the building would include enclosing an existing 1,352 square foot patio located in the back of the tasting room and reconfiguration of the kitchen prep area. The proposed building alterations would use the same exterior finish materials and color scheme as the existing San Antonio Winery. Additionally, the restaurant's hours will coincide with the wine tasting room hours for both normal tasting room hours and private events by club members, thus the restaurant will be an ancillary use available to tasting patrons and club members only.

#### General Plan / Zoning Consistency

In 2015, the site was approved for a General Plan Amendment, Zoning Amendment, and Specific Plan Amendment (GPA 14-002, RZ 14-001, SPA 14-002). As part of these entitlements, the site's land use and zoning designations were amended to incorporate a Mixed-Use Overlay. Additionally, the list of conditionally permitted land uses for this site was amended to allow restaurants. Consistent with the general plan land use and zoning designation, the Planning Commission has the ability to approve the request to enclose the patio and establish a restaurant use within the existing San Antonio Winery.

#### Neighborhood Compatibility / Site Design Issues

The site is required to have 56 parking spaces to serve the future restaurant, retail, and residential uses as part of Phase 2, in addition to serving the existing wine tasting room. As part of Phase 1, the proposed project would convert 1,352 sf of the existing floor area from wine tasting use to a restaurant use; therefore, an additional three (3) parking spaces would be required. A condition of approval has been added for the project to provide a total of 61 parking spaces, meeting the parking requirements for both Phases 1 and 2.

The project as a whole consists of a variety of uses including wine tasting, restaurant, retail, and residential and all are within walking distance of the Ayres and La Quinta Hotels. Developing a better accessible path to those destinations across Buena Vista Drive is desirable and would be consistent with the General Plan's Circulation Element for providing access to all modes of travel. It is appropriate that the applicant be required to build a cross-walk, including new ADA ramps, at the north leg of the Buena Vista Drive – Experimental Station Road intersection. A condition of approval requiring the applicant to provide a \$20,000 bond to fund the projects' share of a crosswalk at the intersection of Buena Vista Rd was originally required for PD 14-003, CUP 14-006, affecting Phase 2 of the project. Since Phase 2 has not yet

commenced, the City Engineer has re-reviewed the timing of this condition of approval and recommends the Planning Commission require the bond prior to Phase 1 commencing.

# Architecture and Appearance

The applicant has provided building elevations which show the proposed building alterations would consist of the same exterior finish materials and color scheme as the existing San Antonio Winery. Although the project has been designed to be consistent with the existing winery, the location of the proposed building alterations are not highly visible from the public right-of-way or the surrounding use to the north, Cuesta Villas, as there is a dense grove of oak trees between the two uses.

#### **CEQA** Issues

As a modification to an existing building, that is proposed to be occupied by a conditionally permitted land use, the project would be exempt from the CEQA review (Categorical Exemption, Class I).

#### **Options**

Option 1. Approval of the request to amend the existing Planned Development (PD 14-003) to establish a restaurant use within the existing San Antonio Winery would allow an underutilized space to be used in a manner consistent with the site since the restaurant would be an ancillary use available to tasting patrons and club members only. The request is also consistent with the General Plan, Zoning Ordinance, and Borkey Area Specific Plan.

Option 2. Option 2 takes into account the potential for the Planning Commission to make suggestions to the conditions of approval and/or further consider the time extension request for Phase 2 of the project.

Option 3. Continuing the item to a future Planning Commission meeting would allow staff to work with the applicant and further review the project as it is proposed.

#### **Fiscal Impact**

There are no specific fiscal impacts associated with approval of this project.

#### Recommendation

Option 1. Approve Draft Resolution A, approving Planned Development Amendment (PD 14-003).

#### **Attachments**

- 1. Vicinity Map
- 2. Draft Resolution A
- 3. Mail Affidavit
- 4. Newspaper Affidavit

# **Attachment 1 Vicinity Map**



Project Site

2610 Buena Vista Drive

# Attachment 2 Draft Resolution A

RESOLUTION NO. 17-XXX
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING PLANNED DEVELOPMENT AMENDMENT 14-003
AND CONDITIONAL USE PERMIT 14-006
(San Antonio Winery)
APN: 025-391-075

WHEREAS, an application has been filed by Angle Land Use Entitlement on behalf of San Antonio Winery Inc., requesting to amend Planned Development 14-003 in order to establish a restaurant use within the existing San Antonio Winery by enclosing an existing 1,352 square foot patio located in the back of the tasting room; and

WHEREAS, the site is located at 2610 Buena Vista Drive, on the northwest corner of Buena Vista Drive and Highway 46 East; and

WHEREAS, Planned Development 14-003 was originally approved in conjunction with Conditional Use Permit 14-006 via Resolution No. 15-062, and coincide with General Plan Amendment 14-002, Rezone 14-001, Specific Plan Amendment 14-002, as follows:

- **General Plan Amendment 14-002** Land Use Element of the General Plan to modify the existing RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed-Use Overlay (MU) (i.e. RMF-8-MU); and
- **Rezone 14-001** Zoning Map amendment to modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed-Use Overlay (MU) (i.e. R2-MU); and
- **Specific Plan Amendment 14-002** An amendment to the Borkey Area Specific Plan, Subarea D, to modify the list of land uses conditionally permitted to allow multi-family residential units and mixed use development (i.e. four residential units, commercial retail, restaurants, and wine tasting); and
- **Planned Development 14-003** a request develop approximately 12,000 sf of new development, including a restaurant, (3) three boutique retail spaces, and (4) four residential units; and
- **Conditional Use Permit 14-006** a request to expand the list of conditionally permitted uses for this property.

WHEREAS, the City Council approved the construction of a 42-foot tall tower element for the standalone restaurant building via City Council Resolution No. 15-062; and

WHEREAS, by amending Planned Development 14-003, the above entitlements will still remain in effect, and San Antonio Winery's tasting room facility will also be allowed to establish a restaurant within the existing building by enclosing an existing 1,352 square foot patio located in the back of the tasting room and reconfiguring the kitchen prep area; and

WHEREAS, approval of Planned Development Amendment 14-003 and Draft Resolution A will supersede City Council Resolution No. 15-062; and

WHEREAS, the proposed building alterations would use the same exterior finish materials and color scheme as the existing San Antonio Winery; and

WHEREAS, the restaurant's hours will coincide with the wine tasting room hours for both normal tasting room hours and private events by club members, thus the restaurant will be an ancillary use available to tasting patrons and club members only; and

WHEREAS, as part of the abovementioned entitlements, the site is required to have 56 parking spaces to serve the future restaurant, retail, and residential uses in addition to serving the existing wine tasting room. The conversion of the 1,352 sf of the existing floor area from wine tasting use to restaurant use requires an additional three (3) parking spaces be provided. The project will be providing a total of 61 parking spaces, therefore meeting the parking requirements; and

WHEREAS, as part of the abovementioned entitlements, a Mitigated Negative Declaration (MND) was adopted by City Council on June 2, 2015 via City Council Resolution No 15-060; and

WHEREAS, a public hearing was conducted by the Planning Commission on March 28, 2017, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding the application; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

**Section 1.** All of the above recitals are true and correct and incorporated herein by reference.

**Section 2 - Findings**: In accordance with Zoning Ordinance Section 21.23B.050, Findings for Approval of Development Plans, and based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, and the Planning Commission makes the following findings:

- 1. The project is consistent with the goals and policies established by the General Plan, since the project would provide for a mix of uses within the Residential Multi-Family Low Density Mixed-Use Overlay (RMF-8-MU) land use designation.
- 2. The project is consistent with the policies and development standards established by the Borkey Area Specific Plan, since the restaurant is a conditionally permitted use at this location.
- 3. The project is consistent with and supports the intent of the Residential Multi-Family Mixed Use Overlay (R2-MU) zoning of the property, and would provide for a mix of land uses consistent with this zoning.
- 4. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the person residing or working in the neighborhood, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city since the property is surrounded by similar land uses, and it would not result in significant noise, traffic, light, glare, or other potential effects.
- 5. The proposed development plan accommodates the aesthetic quality of the city as a whole since the building modifications are designed consistent with the existing building's architectural theme, and surrounding development.
- 6. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and is a reuse of an existing building that would

not impact environmental resources, and is therefore exempt from environmental review (Class 1, Minor Alterations of an Existing Building), under the California Environmental Quality Act.

7. The proposed development plan contributes to the orderly development of the city as a whole by providing a well-designed project that is suitable for the location where it is proposed and surrounding land uses in the vicinity.

**Section 3 - Environmental Determination**: This Planned Development Amendment 14-003 qualifies for as exempt from environmental review under the State's Guidelines to Implement the California Environmental Quality Act (CEQA) per Section 15301 (Class 1, Minor Alteration of an Existing Structure).

**Section 4 - Approval**: Planned Development Amendment 14-003 and CUP 14-006 is approved subject to the following:

EXHIBIT	<u>DESCRIPTION</u>
A	Project Conditions of Approval
В	Standard Conditions
C	Phasing Plan
D	Floor Plan
E	Phase 1 Building Elevations
F	Site Plan/ Landscape Plan
G	Preliminary Grading and Drainage Plan
Н	Winery/Café Floor Plan
I	Winery/Café South-West Elevation
J	Winery/Café South-East Elevation
K	Residential/Retail Building Front Elevation

PASSED AND ADOPTED THIS 28th Day of March 2017 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN JOHN DONALDSON

ATTEST:

WARREN FRACE, PLANNING COMMISSION SECRETARY

# **Exhibit A**

# Project Conditions of Approval – PD Amend 14-003, CUP 14-006

#### **Planning Division Conditions:**

- 1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit B" to this resolution. These conditions supersede the previously approved conditions and exhibits of City Council resolution 15-032.
- 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	<u>DESCRIPTION</u>
В	Standard Conditions
<u>C</u>	Phasing Plan
D	Floor Plan
E	Phase 1 Building Elevations
F	Site Plan/ Landscape Plan
G	Preliminary Grading and Drainage Plan
Н	Winery/Café Floor Plan
I	Winery/Café South-West Elevation
J	Winery/Café South-East Elevation
K	Residential/Retail Building Front Elevation

3<u>a</u>. Planned Development 14-003 and Conditional Use Permit 14-006 allows for the expansion of the existing use of the property (e.g. wine tasting room), and add approximately 12,000 sf of new development, including a restaurant, (3) three boutique retail spaces, and (4) four residential units, and a restaurant use within the existing San Antonio Winery by enclosing an existing 1,352 square foot patio located in the back of the tasting room, as shown in Exhibits C-I above. The approval of PD 14 003 allows for the construction of the 42 foot tall tower.

# 3b. The approval of PD 14-003 allows for the construction of the 42-foot tall tower.

- 4. Prior to the issuance of a building permit <u>for Phase 2</u>, the following final details shall be submitted for Planning Division Staff review:
  - a. Final site plan and architectural elevations;
  - b. Exterior light fixtures;
  - c. Final colors/materials;
  - d. Detailed landscape plan including transformer, backflow and other equipment screening; Note: Landscape plan is subject to the requirements within the LS Ordinance;
  - f. Fencing Plan.
- 5. <u>Prior to Phase 1</u>, the applicant shall provide a \$20,000 bond to fund the projects' share of a crosswalk at the intersection of Buena Vista Rd. and Experimental Station Rd.
- 6. Prior to occupancy of Phase 1, the existing well must be abandoned in accordance with County Health Department Standards, and the property must be provided with municipal water service.

- 7. The project shall incorporate 61 automobile parking spaces and 3 motorcycle parking spaces on the project site, and a bike rack with at least 4 bike spaces to be located near the entrances to the restaurant and shops.
- 8. Prior to occupancy of Phase 1, the applicant shall dedicate the westerly 60 feet of the property to the City for open space to allow for the potential of trail construction.
- 9. <u>Phase 2 of the project shall comply with and incorporate all mitigation measures as provided in the associated Mitigation Monitoring and Reporting Program of the Mitigated Negative Declaration adopted by City Council under Resolution No. 15-060.</u>
- 10. The applicant shall remove all existing business banner signs prior to occupancy of Phase 1. Prior to Phase 2, the applicant shall apply for a Master Sign Program for all businesses on the site to ensure that they are architecturally compatible with the building design theme.
- 11. If any residences are to be used as vacation rentals in any capacity (e.g. not used as a permanent residence), the property owner shall obtain a business license and comply with all applicable transient occupancy regulations.

## **Mitigation Measures - Conditions of Approval:**

12. Biological Resources (Phase 2):

Habitat subject to permanent and temporary construction disturbances and other types of ongoing project-related disturbance activities should be minimized by adhering to the following activities. Project designs should limit or cluster permanent project features to the smallest area possible while still permitting achievement of project goals. To minimize temporary disturbances, all project-related vehicle traffic should be restricted to established roads, construction areas, and other designated areas. These areas should also be included in preconstruction surveys and, to the extent possible, should be established in locations disturbed by previous activities to prevent further impacts.

- a. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.
- b. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and the California Department of Fish and Game (CDFG) shall be contacted as noted under measure 13 referenced below.
- c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight

- periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.
- d. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.
- e. No firearms shall be allowed on the project site.
- f. No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens.
- g. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.
- h. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service.
- i. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.
- j. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be recontoured if necessary, and revegetated to promote restoration of the area to preproject conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Game (CDFG), and revegetation experts.
- k. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance.

- I. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG immediately in the case of a dead, injured or entrapped kit fox. The CDFG contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530)934-9309. The Service should be contacted at the numbers below.
- m. The Sacramento Fish and Wildlife Office and CDFG shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.
- n. New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.

#### 13. Biological Resources (Phase 2):

The applicant shall complete the SJKF Habitat Evaluation Form and consult with the City and CDFW to determine if payment of an in-lieu fee to an approved mitigation bank is necessary.

## 14. Air Quality (Phase 2):

- a. Reduce the amount of the disturbed area where possible;
- Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock pile areas should be sprayed daily as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. This mitigation measure shall be shown on grading and building plans.
- e. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

#### 15. Air Quality (Phase 2):

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b. Fuel all off-road and portable diesel powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);

- c. Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation (CCR Title 13, Article 4.8, Chapter 9, Section 2449);
- d. Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation (CCR Title 13, Article 4.8, Chapter 9, Section 2449);
- e. Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
- g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- i. Electrify equipment when feasible;
- j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible;
- k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.
- l. To the extent practical, reuse and recycle construction waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard.
- m. If site preparation and grading activities are to occur during the same calendar quarter, a minimum of ten percent of diesel-powered heavy-duty (i.e., 50 hp or greater) off-road equipment shall meet CARB's Tier 3, or cleaner, certified engine standards.

#### 16. Noise Impacts (Phase 2):

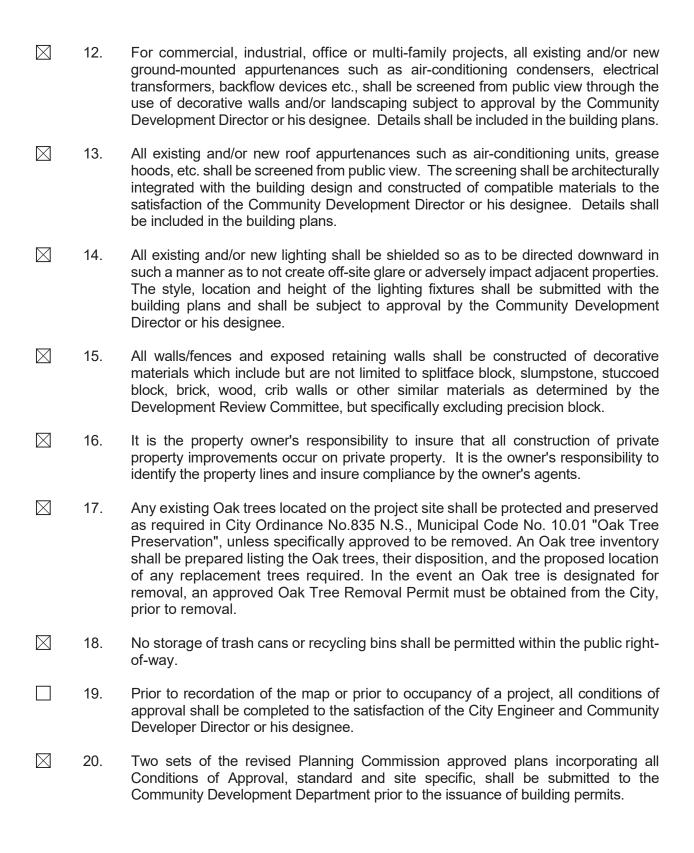
Building design and construction methods for residences shall ensure noise level for residential building interiors shall not exceed the CNEL level identified in the Noise Element of the General Plan. Documentation (Noise Assessment) of noise levels shall be prepared by an acoustical engineer.

#### **EXHIBIT B OF RESOLUTION**

#### CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS

$\boxtimes$	Planne	d Development	Conditional Use Permit
	<u> Tentativ</u>	e Parcel Map	☐ Tentative Tract Map
<u>App</u>	oroval B	ody: Planning Commission	Date of Approval: September 8, 2015 March 28, 2017
App	olicant: S	San Antonio Winery, Inc.	Location: 2610 Buena Vista
<u>API</u>	N: 025-3	391-075	
refer can cond	enced post of the finaling the finaling the finaling of the first of t	roject. The checked conditions shad, unless otherwise specificall approval that apply to this project  Y DEVELOPMENT DEPARTME	sed are standard conditions of approval for the above nall be complied with in their entirety before the project y indicated. In addition, there may be site specific tin the resolution.  NT - The applicant shall contact the Community for compliance with the following conditions:
A.	GEN	ERAL CONDITIONS - PD/CUP:	
	1.	extension request is filed with	re on June 2, 2017 March 28, 2019 unless a time the Community Development Department, or a Statension is applied prior to expiration.
	2.	and unless specifically provide	nd maintained in accordance with the approved plans d for through the Planned Development process shall sections of the Zoning Code, all other applicable City ecific Plans.
	3.	and expenses, including attorion of City in connection with City'	w, Owner agrees to hold City harmless from costs ney's fees, incurred by City or held to be the liability s defense of its actions in any proceeding brought in llenging the City's actions with respect to the project.

- 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 Disposal to determine the adequate size of enclosure based on the number and size of containers to be stored in the enclosure.



	21.	Prior to the issuance of building permits, the  Development Review Committee shall approve the following:  Planning Division Staff shall approve the following:
		<ul> <li>A detailed site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;</li> </ul>
		<ul> <li>□ b. A detailed landscape plan;</li> <li>□ c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments;</li> <li>□ d. Other:</li> </ul>
В.	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:
*****	*****	

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

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

C.	PRIOF	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.
	2.	The applicant shall submit a composite utility plan signed as approved by a representative of each public utility.
	3.	Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Streets Division Supervisor and the Community Development Department.
	4.	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:

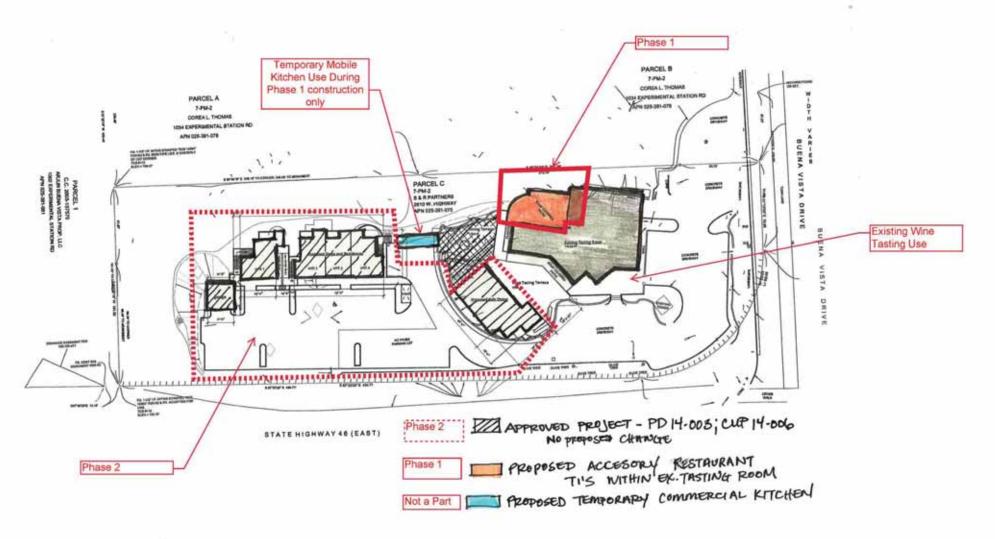
The Planning Commission has made a finding that the fulfillment of the construction requirements listed below are a necessary prerequisite to the orderly development of the surrounding area.

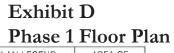
1.	The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services.
2.	All public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
3.	The owner shall offer to dedicate and improve the following street(s) to the standard indicated: <u>Buena Vista Drive</u> 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 Bond100% of improvement costs. Labor and Materials Bond50% 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 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:
		<ul> <li>a. Public Utilities Easement;</li> <li>b. Water Line Easement;</li> <li>c. Sewer Facilities Easement;</li> <li>d. Landscape Easement;</li> <li>e. Storm Drain Easement.</li> </ul>
	10.	The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:
		<ul> <li>a. Street lights;</li> <li>b. Parkway/open space landscaping;</li> <li>c. Wall maintenance in conjunction with landscaping;</li> <li>d. Graffiti abatement;</li> <li>e. Maintenance of open space areas.</li> </ul>
	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.
*****	*****	*********
	tment	ES DEPARTMENT OF EMERGENCY SERVICES- The applicant shall contact the of Emergency Services, (805) 227-7560, for compliance with the following
		- CONDITIONS or to the start of construction:

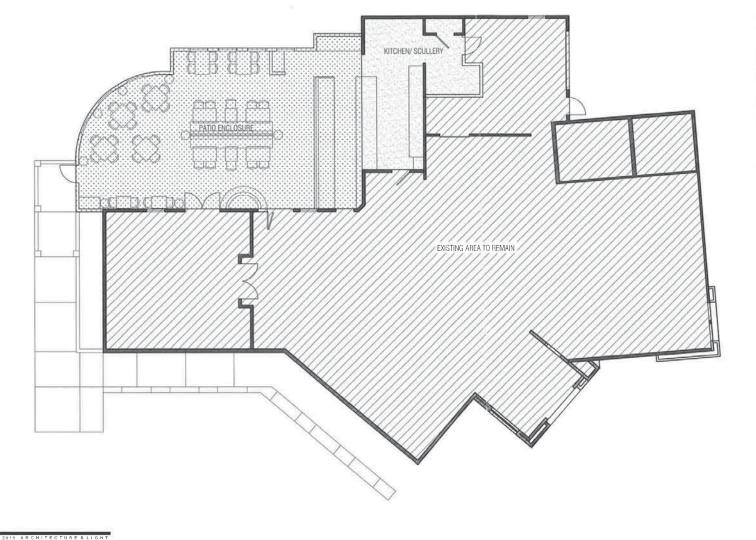
		<ul> <li>for underground fire lines.</li> <li>Applicant shall provide documentation to Emergency Services that required fire flows can be provided to meet project demands.</li> <li>Fire hydrants shall be installed and operative to current, adopted edition of the California Fire Code.</li> <li>A based 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.</li> <li>Access road shall be at least twenty (20) feet in width with at least thirteen (13 feet, six (6) inches of vertical clearance.</li> </ul>
2.		Provide central station monitored fire sprinkler system for all residential, commercia 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
		<ul> <li>☐ Fire alarm annunciator panel in weatherproof case.</li> <li>☐ Knox box key entry box or system.</li> <li>☐ Fire department connection to fire sprinkler system.</li> </ul>
5.		Provide temporary turn-around to current City Engineering Standard for phased construction streets that exceed 150 feet in length.
6.	$\boxtimes$	Project shall comply with all requirements in current, adopted edition of California Fire Code and Paso Robles Municipal Code.
7.	$\boxtimes$	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.

Exhibit C Phasing Plan









TITLE

FLOOR PLAN CALCULATION

DARRELL HAWTHORNE MARK R STEVENS

SAN ANTONIO TASTING ROOM - PASO ROBLES

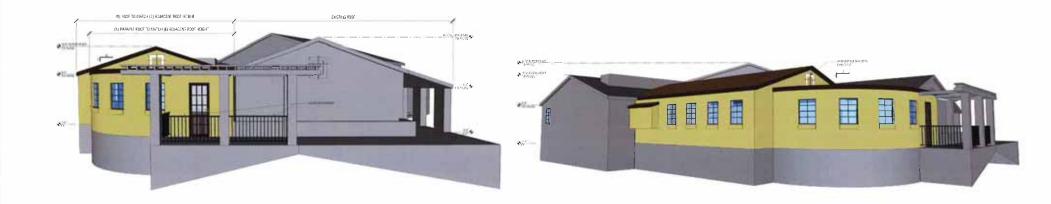
30

DATE: 12/15/2016

SCALE: 1/4"LTIED"

JOB NO : 16 049





31

PROPOSED - PERSPECTIVES

60 DRADY STREET \*\*\* \*\*\*\*\*\*\* 101 413 676 3999 fox 413 397 4375

DARRELL HAWTHORNE MARK R STEVENS

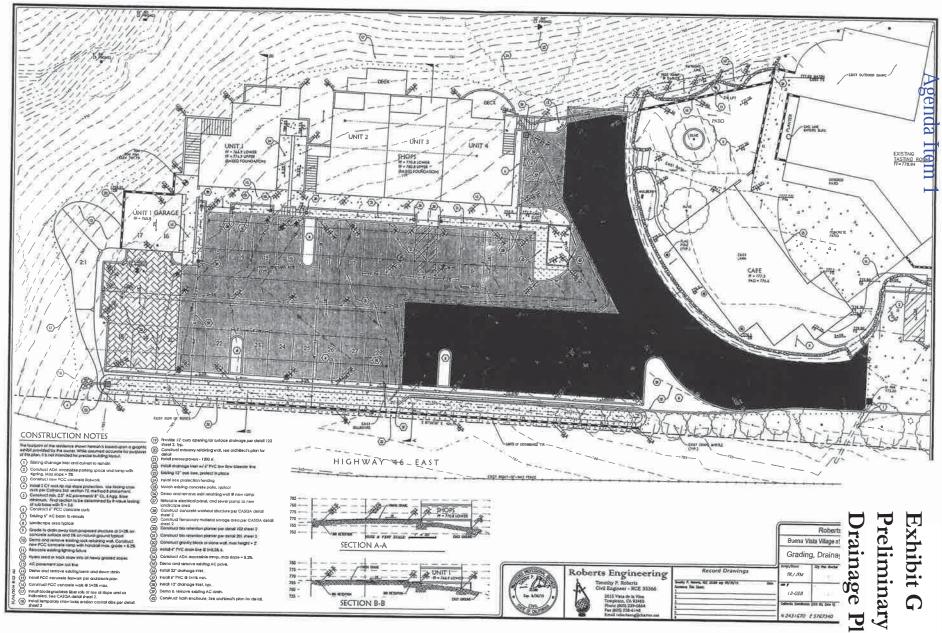
SAN ANTONIO TASTING ROOM - PASO ROBLES

SCALE: NTS

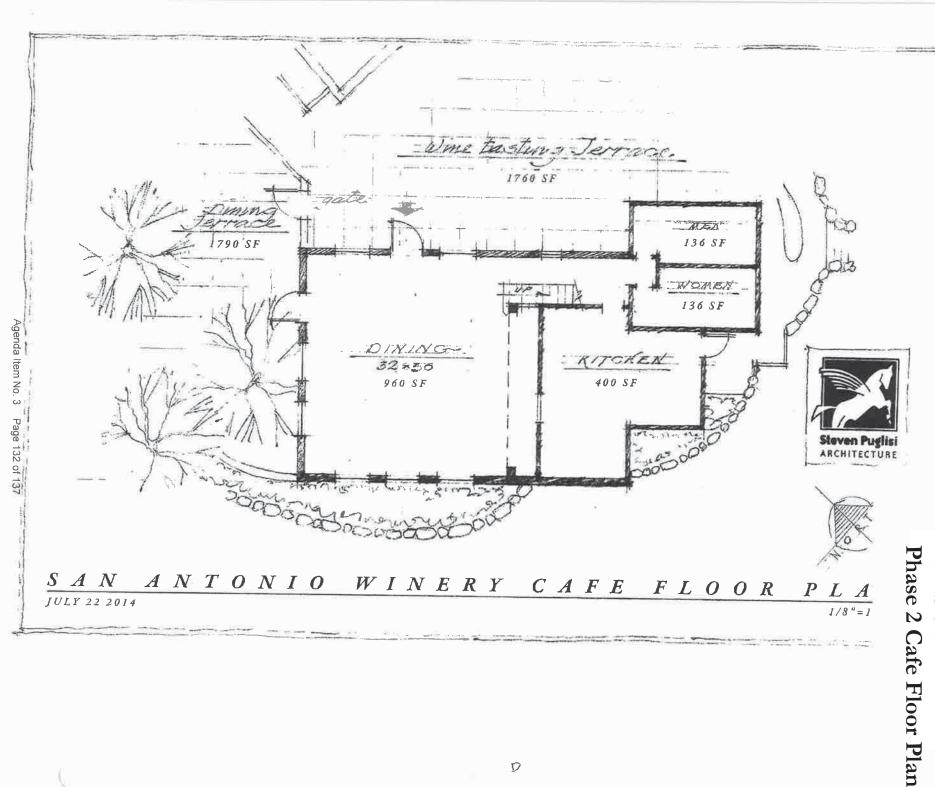
JOB NO: 16 049



Plan



# Exhibit G Preliminary Grading and Drainage Plan



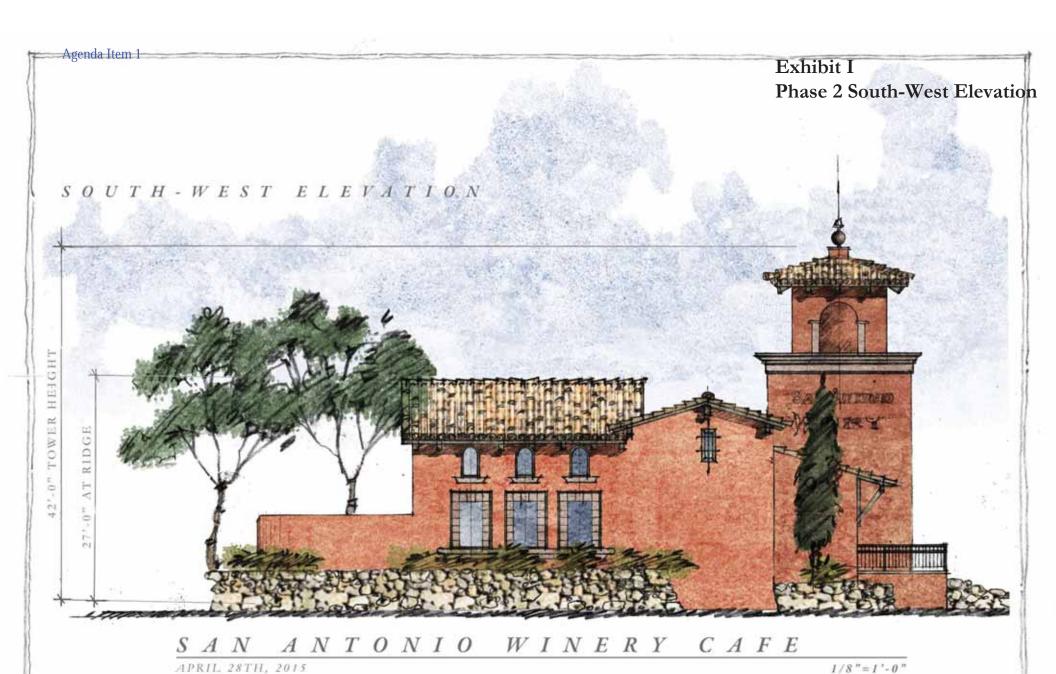


Exhibit J

Phase 2 South-East Elevation



APRIL 28TH, 2015

1/8"=1'-0"



# CITY OF EL PASO DE ROBLES

Attachment 3

"The Pass of the Oaks"

# **AFFIDAVIT**

#### **OF MAIL NOTICES**

# PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, <u>Monica Hollenbeck</u>, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for PD 14-003 Amendment, on this 16<sup>th</sup> day of March, 2017.

City of El Paso de Robles Community Development Department Planning Division

Signed: Monica C Hollenbeck

Monica Hollenbeck

# **Attachment 4**

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION PROJECT NOTICING

Newspaper: The Tribune

**Date of Publication:** 03/17/17

**Meeting Date:** 

03/28/17

Planning Commission

**Project:** 

PD 14-003 AMENDMENT

I, <u>Monica C Hollenbeck</u>, employee of the Community Development Department, Engineering 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: Maria C Hollenberk

Monica C Hollenbeck

#### CITY OF PASO ROBLES NOTICE OF PLANNING COMMISSION PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission will hold a Public Hearing to consider the following project:

APPLICATION: Planned Development Amendment (PD 14-003), a request to establish a restaurant use within the existing San Antonio Winery. As part of the request proposed changes to the building would include enclosing an existing 1,352 square foot patio located in the back of the tasting room and reconfiguration of the kitchen prep area.

APPLICANT: San Antonio Winery Inc, c/o Angle Land Use Entitlement

LOCATION: 2610 Buena Vista Drive, Paso Robles; CA. APN: 025-410-014

#### **ENVIRONMENTAL DETERMINATION:**

This application is Categorically Exempt from environmental review per Section 15301 (Class 1, Minor Alteration of an Existing Structure) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

HEARING: The Planning Commission will hold a Public Hearing on March 28, 2017, at 6:30 p.m. at the Library Conference Center/Council Chambers, 1000 Spring Street, Paso Robles, California.

Questions about this application may be directed to the Community Development Department at (805) 237-3970 or via email at planning profty.com. Comments on the proposed application may be mailed to the Community Development Department, or emailed to planning profty.com, provided that such comments are received prior to the time of the hearing.

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

Copies of the staff report pertaining to this project will be available for review at the Community Development Department and on the City website at http://www.prcity.com/government/plancommission/index.asp. on the Thursday preceding each hearing (copies are available for purchase for the cost of reproduction). If you have any questions, please contact the Community Development Department at (805) 237-3970.

Darcy Delgado Assistant Planner March 17, 2017

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