

RESOLUTION NO.: 01-008  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES APPROVING  
AN AMENDMENT NO. 1 TO  
PLANNED DEVELOPMENT 98003  
(RICHARD WOODLAND - WOODLAND PLAZA III)

APN: 09-814-020, 21 & 24

WHEREAS, on July 14, 1998 the Planning Commission adopted Resolution 98-042 which approved the construction of an approximate 68,000 square foot commercial center on the southeast corner of Niblick and South River Roads, and

WHEREAS, concurrently with approval of the Planned Development application, the Planning Commission approved Tentative Parcel Map PR 98-038 to allow the parcelization of the approximate 11 acre site into three (3) separate parcels, and

WHEREAS, at the time that the Planned Development and Parcel Map applications were approved, the Planning Commission also adopted Resolution 98-041 which granted a Mitigated Negative Declaration status for the map and 68,000 square foot commercial shopping center project in accordance with the California Environmental Quality Act (CEQA), and

WHEREAS, Richard Woodland has filed an application to amend the development plan conditions associated with the approved neighborhood shopping center and satellite building pads (referred to herein as Amendment No. 1), and

WHEREAS, the stated purpose in the filing of this amendment was to redistribute the original set of project conditions so that the "satellite pads" which are now separately recorded lots can develop independently from the larger anchor tenant parcel (parcel 2), but still provide for orderly development among the parcels, and

WHEREAS, no new land uses or changes to the scope of the proposed commercial development is proposed at this time, only a reassignment of existing conditions to individual recorded parcels, the amendment project would not require additional environmental review under the State's adopted Guidelines for the California Environmental Quality Act (CEQA), and

WHEREAS, public hearings were conducted by the Planning Commission on November 14, 2000, December 12, 2000, January 9, 2001 and January 23, 2001, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this project amendment, and

WHEREAS, written public notice of this amendment request has been mailed to all affected properties of the planned development amendment and the legal owners of parcels within 300 feet of the subject request in accordance with the City's regulations for public hearings, and

WHEREAS, based upon the facts and analysis presented in the staff reports, public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the amendment request will not modify the integrity of the commercial project in a manner that would alter the ability to make the original set of Planned Development findings contained in Resolution 98-042 and that those

findings still stand, and

WHEREAS, the conditions contained in this modified resolution are designed to assure that the individual lots will develop in an orderly fashion and retain responsibility for their own site impacts and development needs at the time of their independent development.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Amendment No. 1 to Planned Development 98003 subject to the following conditions of this resolution:

**CONDITIONS TO BE IN COMPLIANCE AT ALL TIMES:**

1. This Planned Development authorizes the construction of an approximate 68,000 square foot commercial center to be constructed on three separate parcels and in independent development phases.
2. The applicant shall construct the project in substantial conformance with the site plan, grading plan, landscaping plans, phasing plan, building elevations, sign plans, and colors and materials attached as Exhibits listed below and as may be modified by the following conditions of project approval:

| <u>EXHIBIT</u> | <u>DESCRIPTION</u>               | <u>EXHIBIT</u> | <u>DESCRIPTION</u>                 |
|----------------|----------------------------------|----------------|------------------------------------|
| A              | Site Plan                        | H              | Roof Equipment Screening Detail    |
| B              | Prelim. Grading & Drainage Plan* | I              | Bus Shelter Exhibit                |
| C              | Preliminary Utility Plan         | J              | Single Trash Enclosure             |
| D              | Landscaping Plan*                | K              | Site Line Study/Freestanding Signs |
| E              | Elevations                       | L              | Wall Detail*                       |
| F              | Site and Road Sections*          |                |                                    |
| G              | Color Board *                    |                |                                    |

\* Copy is on file in the Community Development Department.

3. The applicant shall comply with all those conditions which are indicated on "Attachment A" to this resolution. NOTE: All checked standard conditions shall apply unless superseded by a site specific condition.
4. The applicant and/or developer(s) of individual parcels 1, 2 and 3, shall be responsible for installation of those improvements shown on the following additional Exhibits "M", "N" & "O" in addition to obtaining approval of individual Site Plan approval from the Development Review Committee (DRC) prior to site development:

| <u>EXHIBIT</u> | <u>DESCRIPTION</u>  |
|----------------|---|
| M              | Parcel 1 Site Improvements to be installed at time of development |
| N              | Parcel 2 Site Improvements to be installed at time of development |
| O              | Parcel 3 Site Improvements to be installed at time of development |

5. Any amendments or revisions to the approved development plans shall be subject to review by the designated authority. Those changes to be substantial shall be subject to the next level of review as follows:
  - a. City staff
  - b. Development Review Committee
  - c. Planning Commission
6. All on-site operations of this facility shall comply with Section 21.21.040 of the Zoning Code (General Performance Standards for all uses) in relation to noise, dust, odor, hazards, vibration, glare, et cetera.(CD)

**GENERAL CONDITIONS (Apply to all parcels unless specifically noted otherwise):**

7. The payment of traffic impacts fees required via Resolution 98-041 as mitigation for traffic generated by these three parcels (above and beyond what would otherwise be covered by standard Bridge Impact fees paid at the time of building permit) shall be considered to be met via the City Council & Redevelopment Agency agreement reached with the developer in July 1999. Independent of this agreement, each parcel and/or new building shall be responsible to pay standard Bridge Impact fees at the time of building permit issuance. (CD)
8. The applicant shall comply with all the recommendations stated in the Arborist Report dated March 4, 1998, and the Biological Survey Report dated March 31, 1998 regarding the protection of the existing oak trees. (PW)
9. In accordance to the Oak Tree Preservation Ordinance, the City Council shall give the final approval for any oak trees to be removed. (PW)
10. All driveways shall be constructed in accordance to the City's Standards & Specifications. (PW)
11. Grease traps shall be required on sewer laterals that serve a restaurant. (PW)
12. Wastewater discharge permits may be required in accordance to the City's Sewer Ordinance. (PW)
13. Trash enclosures shall be oversized so as to provide adequate room for recycling bin/receptacle, in addition to a standard trash receptacle. This shall be done in a manner to be approved by the City Engineer. The applicant shall submit a recycling program to the City for review and approval. (PW)
14. Solid waste requirements shall be analyzed in conjunction with the construction of each phase, and mitigation measure incorporated as established by the City's Source Reduction and Recycling Element. (PW)
15. Backflow prevention devices shall be installed for all the domestic water services. Domestic water services shall connect to the public water mains and not the on-site private firelines. (PW/ES)

16. All rain gutters shall be installed internally either inside of the walls of buildings or inside structural columns, connecting to under-sidewalk drains (where applicable) then directed to appropriate drainage facilities. (CD/B)
17. No mechanical equipment shall extend beyond the exterior parapet line, unless alternative screen walls and/or other methods of screening are approved by the Planning staff. Roof mounted equipment shall be held to a minimum, with combination of parapet screening and mechanical equipment painted to match roof surface. Roof surface color to be neutral and soft in tone (avoid unnatural colors). (CD)
18. All exposed man-doors and trash enclosure doors shall be painted to compliment the plaster colors used within the center. (CD)
19. The maximum height for habitable buildings and structures is 32 feet. The maximum height for nonhabitable buildings and structures is 50 feet. The proposed building height is consistent with regulations. The elevations approved for the commercial building on parcel 2 is 26 feet in height with the exception of decorative towers that can be up to 34 feet and 38 feet in height. Storage or habitation in the tower areas is prohibited. (ES/CD)
20. Niblick and South River Roads are arterial streets and 25 foot setback is required. The minimum setbacks from City Street Rights-of-Way apply to buildings, structures, parking spaces, loading spaces, back-up aisles, outside storage areas, outside display areas, trash enclosures, utility transformers, and similar facilities. The final development plans submitted to the Development Review Committee shall adhere to this 25 foot setback requirement. (CD)
21. Oak Hill Road, adjacent to the project is determined to be a collector street that is not directly adjacent or across from residential. The required setback along a collector street is 10 feet where it is not directly adjacent or across from residential. A ten foot setback shall be maintained along Oak Hill Road (to be demonstrated when final plans are submitted to the DRC). (CD)
22. The Private Drive shared by Parcels 1 and 2 shall be treated as a collector street for the purposes of setback requirements. Final plans submitted to the DRC shall reflect a minimum of a 10 foot setback on parcels 1 and 2 from this private drive way.
23. For Parcel 2: The Site Plan shall be revised to indicate that the walls for the shopping cart storage area are to be constructed of Woodland Blend Split Face Block ("Air Vol Block, Inc." #20D490A). (CD)
24. Approval of the Color Board does not include the gray split face block. The approved block is Woodland Blend Split Face Block ("Air Vol Block, Inc." #20D490A). (CD)
25. No sign (exception: window signs per Zoning Code) shall be constructed until approved building permits from City Planning and Building and Safety Divisions are received. (CD)
26. For Parcels 1 and 3, if future buildings are multi-tenant buildings then a sign program for the buildings

shall be submitted with the building Site Plan. If a building is divided into more than one tenant space after the approval of the Site Plan then the Site Plan is to be amended to include a sign program reviewed and approved by the Development Review Committee. (CD)

27. All business identification wall signs shall be channel letters and accommodated within the architecture of the building so not to have exposed raceways. No exposed raceway, crossovers, conduits, conductors, transformers, etc. shall be permitted. An individual tenant logo may be included within the sign design as long as the allowable sign area is not exceeded. (CD)
28. For Parcel 2, truck deliveries shall be targeted between the hours of 7:00AM and 8:00PM during the day. Trucks arriving outside of that delivery time window shall be required to park and wait in designated areas at the front of the store. This waiting area shall be delineated on the site plan for staff approval and then appropriate demarcation installed on site at the time of parking lot installation. (CD)
29. The use of exterior loud speaker/announcement systems shall be prohibited within the shopping center (for all parcels), with the exception of speakers may be used at the pickup window for drive-thru pharmacy. For Parcel 3, a bank or similar low intensity drive-thru feature could be proposed when limited to the hours of 7:00 AM to 8:00 PM.(CD)
30. The use of artificial irrigation shall be avoided in areas located adjacent to or within the associated driplines of all existing oaks. (CD)

**COMPLETED PRIOR TO GRADING PERMIT (Apply to all parcels unless specifically noted otherwise):**

31. For Parcels 2 and 3, prior to the issuance of a grading permit, a statement from a certified arborist shall be submitted to verify that the final grading design addresses the protection of the oak trees. (PW)
32. Prior to the issuance of a grading permit, the Development Review Committee (DRC) shall approve the final grading design for the project including, but not limited to the cut slopes proposed, and retaining walls. (PW)
33. For Parcels 1 and 2, prior to the issuance of a grading permit, and as recommended in the Biological Survey Report, the applicant shall obtain all the required permits from Army Corps of Engineers, Fish and Game, or other agencies to allow any work adjacent to all creeks and its tributary. (PW)
34. For Parcel 3, the Developer shall soften the 23-foot cut slope behind that parcel (eastern end) to the satisfaction of the Development Review Committee. (PW)
35. Developer shall grade and landscape a 4:1 slope along Niblick Road. (PW)
36. The DRC shall review and approve the final details for the walls, fences, and guardrails prior to issuance of a grading permit that utilizes a retaining wall. Per the applicant's plans, all walls shall be constructed of Woodland blend splitface block, except for the identified cribblock wall (on parcel 2). (CD)

37. The Building Official shall review the grading and retaining wall plans to determine compliance with Section 17.04.020.H. of the Municipal Code for guardrails. (CD/PW)
38. Since the building pads may not be developed immediately following rough grading, graded pads shall be hydroseeded and irrigated. If building permits are in process, then the Planning Division may remove this requirement.(PW/CD)
39. For Parcel 2, landscaping for screening a wall should be installed as soon as practicable. Community Development shall determine the feasibility of installing landscaping at the time of permit issuance for grading or building permits. (CD)
40. For Parcels 2 and 3, all measures identified in the Arborist Report prepared by Brazeal's Tree Consultants dated March 2, 1998 shall be adhered to, unless alternative measures are approved according to the Oak Tree Preservation Ordinance. References to trees by number is based on the assigned number in the Arborist Report tree inventory.(PW)
41. For Parcel 2, tree #6, a 47" diameter California coast live oak, is located near the access drive and drainage channel. The excavation for the bridge construction is to be monitored by a certified arborist to insure the protection and integrity of this tree's root system. The tree may be pruned to crown clean and structure using the I.S.A. Pruning Standard Guidelines, subject to the approval of a permit from the City Council or designated body. (PW)
42. For Parcel 2, there are several trees along the north side of the proposed 10 foot asphalt path. Prior to grading, a tree protection fence at the line of encroachment shall be installed for the entire length of the path, beginning at the creek and at the outside canopy of tree #6. The purpose of this fence is to keep all equipment out of the root zone area of the trees existing along this seasonal creek. (PW)
43. For Parcels 2 and 3, install tree protection fencing as specified in the Arborist Report prior to grading activity. Fencing is required for all grading activity near the drip line of oaks including but not limited to the following trees: 1, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,17, 18, 19, 22, 23, 24, 25, 26, and 27. (PW)
44. For Parcel 2, pruning of oak trees for vehicle traffic clearance shall be according to the Arborist Report and subject to the approval of a permit from the City Council or designated body. (PW)
45. For Parcel 2, to prevent further erosion on the south side of the pathway and to insure the protection and health of the adjacent oak tree roots, the cut bank requires stabilization prior to or in conjunction with the proposed path improvements. (PW)
46. For Parcels 2 and 3, use of heavy equipment and vehicles shall be restricted to areas located outside of the oak woodland through out the duration of construction activities, except as described in the Arborist Report. (PW)
47. At the developers expense, the following measures have been required for implementation to ensure avoidance of potential impacts to individuals of the San Joaquin kit fox species: (CD)

- a) Immediately prior to commencement of construction activities, retain a qualified biologist to perform a kit fox survey of the site, and update the previous determination of on-site significant biological resources.
  - b) If kit fox are found on site, specific measures for avoiding impacts to kit fox will then be identified and implemented through consultation with USFWS and CDFG, and according to the current protocols for kit fox protection.
48. At the developer's expense, the following list of measures is designed to minimize impacts if raptor nests are found on the project site. (CD)
- a) To avoid taking of active raptor nests, necessary tree removals or pruning should be conducted between September 15 and February 15, outside of the typical nesting season.
  - b) If any tree removals are determined to be necessary between February 15 and September 15, a raptor nest survey shall be conducted by a qualified biologist prior to any identified tree removals or pruning.
  - c) If the biologist determines that a tree slated for removal or pruning is not currently used by nesting raptors, the applicant shall apply for appropriate permits for tree removal.
49. The following list of mitigation measures is required to minimize impacts to potential aquatic wildlife resources of the project site at the developer's expense. These measures shall be taken into consideration by the project applicant during the design and implementation of the project: (CD)
- a) For Parcel 2, a minimum setback from the upland edge of riparian vegetation shall be established through consultation with the CDFG and USFWS.
  - b) Sedimentation and erosion control measures shall be implemented during construction, and construction activities in or near stream channels should be limited to the dry season to avoid impacts from increased runoff and sedimentation (i.e. May 15, to October 15th).
  - c) Creek banks impacted as a result of construction or other activities should be revegetated as soon as possible after construction, using native riparian shrubs and ground covers.
  - d) Drainage design features shall be implemented to reduce stormwater impacts to the creek channels resulting from increased hardscape runoff.
  - e) Prior to construction, a 2-day/2-night California red-legged frog survey shall be conducted, according to USFWS protocol for the species.
50. The recommendations identified in the Soils Engineering Report (Earth Systems Consultants Northern California, dated January 30, 1998) shall be applied as conditions of approval, unless the recommendation conflicts with a condition of approval established for biological and archaeological protection or mitigation. In the case of a conflict, then further analysis by the soils engineers, archeologist, arborist and biologist may be necessary at the developers expense. The City

Engineer may approve alternative measures if support by an additional soil engineering analysis.  
(PW)

51. For Parcel 2, at the time that final site development grading is proposed, at the developers expense, the project archaeologist shall review final plans and construction methods to ensure the protection of the Cobble Creek site. At present the site is scheduled to receive a layer of fill soils which would mitigate any potential impacts to the heritage resource. Installation of drains, retaining wall footings and underground utilities could potentially cause some impacts to this site. The purpose of the archaeologist's review of final grading is to assure that mitigations applied during the "off-site" improvements associated with Parcel Map PR 98-138 were adequately met and the on-site grading will not adversely affect the Cobble Creek site. (CD/B)
52. For Parcel 2, the developer shall provide and cover the expense of having the construction / development of the Cobble Creek site have archaeological monitoring (consistent with the Phase II Archaeological Report prepared by Thor Conway dated March 29, 1998), with provisions that any significant cultural deposits uncovered during monitoring may require mitigation excavations. (CD)
53. For Parcel 2, following mitigation excavation, the construction/development of the Oak Knoll site shall have archaeological monitoring (consistent with the Phase II Archaeological Report prepared by Thor Conway dated March 29, 1998), with provisions that any significant cultural deposits uncovered during monitoring may require further mitigation excavations. (PW)

**COMPLETED PRIOR TO ISSUANCE OF BUILDING PERMITS**  
**(Apply to all parcels unless specifically noted otherwise):**

54. Prior to the issuance of a Building Permit, the applicant shall pay his pro-rata share of the South River Road and Meadowlark Sewer Reimbursement fees. (PW)
55. The current bridge development fees collected on commercial and industrial projects is collected by the City pursuant to its fiduciary responsibility and cannot be modified. These standard Bridge Impact fees shall be collected for new development on each parcel as each develops. Independent of the standard Bridge Impact fees, per the Traffic Engineer's recommendations on page 28, paragraph VIA the amount of the additional developmental impact fees (bridge and traffic) above the standard fees shall be considered to be met via the July 1999 agreement between the developer and the City Council/Redevelopment Agency (see site specific condition number 7). (PW)
56. The first of the three parcels to develop (i.e., submit to DRC for Site Plan review and submit for Building Permits) shall establish the palette and character of planting for the Niblick and South River Road 25-foot landscape perimeter. Subsequent parcels will be required to incorporate this plant palette/style in their final landscaping plans for those street frontages. The DRC can determine the extent and need of matching the plant palette of on-site planting (for example: parking lot trees). Canary Island Pines shall not be included in the landscaping plans. Soil on



manufactured slopes will

need to be broken up and amended prior to planting. Oak trees shall not be used as a shade tree for the parking lot, but planted closer to the existing Oak groves to continue the “grove appearance” further into the site. London Plane Sycamore and/or Flowering Pear Trees are suggested for the parking lot. (CD)

57. All building mounted lights shall be shielded. Shields shall be installed which fully contain the light source and lens to direct light downward and prevent off-site glare. The applicant shall submit cut sheets for Planning Staff review in conjunction with the construction drawings showing how the light shielding will occur. (CD)
58. All pole mounted lighting within this project pole mounted shall be designed so as to be shielded from creating off site glare. Fixtures must be equipped with shields to direct light downwards rather than outward. Prior to issuance of building permits, the applicant shall submit cut sheets for Planning Staff review in conjunction with the construction drawings showing how the light shielding will occur. (CD)
59. For Parcels 1 and 3, development shall be subject to Site Plan application review and approval of the Development Review Committee (DRC). The building architecture and use of colors and materials shall be architecturally compatible with the exhibits approved for development of an anchor user on Parcel 2. Four sided architectural detailing shall be utilized. The buildings on Parcels 1 and 3 shall include design features as shown for development of the anchor user on Parcel 2 (Exhibits F & J) such as the tower element, awnings, arches, columns, bump-outs, tile, and split face block. The level of architectural detail shall be at least equal to the perspectives of the project site developed by Perkowitz+Ruth Architects, Inc.(CD)
60. For Parcels 1 and 3, independent trash enclosures shall be provided to serve the buildings. Construction of the trash enclosures shall be completed with the buildings. The building on parcel 1 shall incorporate the trash containers within the building. All trash bins shall be fully screened by an enclosure or incorporated into the building (i.e., architecturally integrated with the building). (CD)
61. All dumpsters to be used by restaurants or for uses which generate a substantial amount of liquid waste, shall be designed so as to properly contain or convey liquid materials into a drainage facility to be approved by the City Engineer so as not to create a visual or odor nuisance. (PW/B)
62. Parcels 1 and 3, shall be permitted to apply for an individual monument sign which shall be subject to review and approval by the DRC. Parcel 2 shall be permitted to have a pylon sign and freestanding sign(s) as shown in Exhibit J. (CD)
63. Final sign plans shall be submitted to the DRC, including freestanding signs, for review and approval. For Parcel 2, the pylon sign and typical monument sign design shall be revised to use Woodland split face block. The final sign plans shall include details such as lettering, color samples, and method of illumination. (CD)
64. For Parcel 2, the DRC shall review and approve the details for the pedestrian/bike path located

within Parcel 2. The final design shall include path lighting, benches, trash receptacles, and safety bollards. For Parcel 1, the applicant shall demonstrate that the site design and private driveway

improvements can accommodate the future bikepath connection. Construction of the bikepath and amenities shall be the responsibility of Parcel 2. (CD)

**COMPLETED PRIOR TO OCCUPANCY (Apply to all parcels unless specifically noted otherwise):**

65. For Parcels 2 and 3, prior to the issuance of a Certificate of Occupancy, an arborist shall submit written certification that all the oak trees (other than those proposed to be removed) have not been damaged as a result of construction. (PW)
66. For Parcel 2, a separate on-site waterline shall be installed for fire protection. These lines shall be sized to accommodate the fireflow for the shopping center as approved by the Fire Marshall. These lines shall remain private and be maintained by the developer. Backflow prevention devices shall be installed adjacent to the points of connection to the City's system and as approved by the City Engineer. Parcel 3 shall extend said water line to the boundary of Parcel 2. (PW)
67. For Parcels 1 and 2, the existing sewerlines within the project site shall be protected during the construction of the shopping center and all building/site development. All manhole covers shall be raised to grade to the satisfaction of the City Engineer. (PW)
68. All existing overhead electrical lines shall be placed underground at the developer's expense (including those along 'B' Street), unless it is 77 kilo volts or greater. Parcel 3 development could obtain occupancy provided an appropriate bond/security was in place for the underground work necessary adjacent to the private driveway between Parcels 1 and 2. Parcel 2 and/or 3 (whichever develops first), shall underground the utilities within/adjacent to the shared private driveway between the parcels prior to occupancy of any buildings. (PW)
69. All site specific conditions and standard conditions shall be completed and accepted by the City Engineer prior to issuance of a Certificate of Occupancy. (PW)
70. Parcel 2, shall construct a transit shelter in conjunction with Parcel 2 improvements in a location and design acceptable to the City Engineer and the transit authority. (PW/CD)
71. If Parcel 2 develops first, it shall design and install all perimeter landscaping (25 feet of set back area) and install that landscaping along all frontages of Niblick and South River Roads (including the frontages of Parcels 1 and 3). If Parcel 1 and/or 3 develops first, those parcels shall be responsible for design of the landscaping as described in site specific condition number 67, but shall only be required to install landscaping along the extent of their respective lot frontages on Niblick and South River Roads. Additionally, with Parcel 2, the 10 foot setback area of Oak Hill Road, the open space areas within the Lighting and Landscaping Maintenance District, the bus shelter, and pedestrian/bike path with associated improvements shall be completed in conjunction with development prior to issuance of certificates of occupancy. (CD)

72. Proposed grass/turf areas may be hydroseeded. If the hydroseed does not thrive within 6 months, then the applicant shall install sod. Also all species of planting proposed shall be further reviewed by the Planning staff for success rate in the Paso Robles climatic zone and amendments to the planting palette shall be made as found to be necessary as a result of such review. Plant sizing and spacing shall also be determined by City staff at that time. (CD)
73. The alternative access enhancing components of the project (i.e., transit turnout with shelter, bicycle and pedestrian paths, etc.) are required elements of the project and shall be constructed and completed prior to a certificate of occupancy for Parcel 2 development.(CD)
74. Bike racks shall be provided at each building. Bike rack design shall be consistent with Woodland Plaza II. (CD)
75. The buildings shall be required to install automatic sprinkler systems. (ES)
76. Both on-site and off-site fire hydrants shall be required. The Department of Emergency Services shall determine location of hydrants. Certificate of Occupancy shall not be issued until the water system, including hydrants, has been tested and accepted. (ES)
77. Electrical shunt trips shall be located on the exterior of the building, at a location which is accessible, the Fire Marshal shall approve its location prior to issuance of building permits. (ES)
78. The Department of Emergency Services shall receive copies of security alarm information for record purposes. (ES)
79. Parcel 1 shall construct the private driveway (shared with parcel 2) in accordance with Exhibit "M" if it develops prior to Parcel 2. Parcel 1 would be permitted to construct a temporary asphalt berm along the east side of the shared driveway until such time that Parcel 2 develops and determines its precise driveway access locations.
80. Parcel 2 shall construct the private driveway (shared with parcel 1) in accordance with Exhibit "N" if it develops prior to Parcel 1. Parcel 2 would be permitted to construct a temporary asphalt berm along the west side of the shared driveway until such time that Parcel 1 develops and determines its precise driveway access locations.
81. All drainage and utilities shall be installed for each individual parcel in accordance with Exhibits "M", "N" & "O." Final grading, drainage and utility plans would be submitted to the City Engineer for review and permit approval in accordance with standard conditions.
82. Parcel 3 driveway onto Niblick Road shall be designed to allow right turn movement in/out only as a traffic mitigation measure.
83. Parcel 3 site development may require that a decorative block wall (minimum of 5 feet) be installed along the eastern property boundary to separate the parking and vehicular use areas from the adjacent multiple family zoned parcel. The need for this wall will be a function of the parking design in relation to zoning code, and shall be reviewed/determined in conjunction with Site Plan application details.

84. The new date for expiration of this Planned Development approval shall be January 23, 2003.

85. The following standard conditions have already been complied with or are no longer applicable to the planned development buildout: Public Works Conditions E1 (FEMA Map Amendment; F1(off-site public improvements); G6 (Landscape and lighting annexation requirement); H8 (off-site improvement related).

86. For all parcels, prior to issuance of a grading or building permit, documentation shall be provided that reciprocal access between all parcels has been established through recorded easement or other legally acceptable means.

THIS AMENDMENT NO. 1 PASSED AND ADOPTED THIS 23rd day of January, 2001 by the following roll call vote:

AYES: CALLOWAY, JOHNSON, NICKLAS, STEINBECK, WARNKE

NOES: NONE

ABSTAIN: NONE

ABSENT: MCCARTHY, TASCONA

RON JOHNSON, CHAIRMAN

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

h:meg/pds/2000/Final 1-23 PD Amendment Reso