

RESOLUTION NO.: 03-044

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING PLANNED DEVELOPMENT 02-017 FOR THE GATEWAY OFFICE PROJECT
(RITE III, INC.)
APN: 09-021-006

WHEREAS, Planned Development 02-017 has been filed by Rite III, Inc. to construct a 35,500 square feet of professional office complex, where 8,500 of the 35,500 square feet would be for food service uses; and

WHEREAS, the Gateway site is located on the northern portion of the property bounded by 1st Street on the north, South Vine Street on the west, the southbound on-ramp to Highway 101 on the east and an existing single family residence on the south; and

WHEREAS, the General Plan land use designation of the Gateway Project site is Office Professional (OP); and

WHEREAS, in conjunction with PD 02-017, Rite III, Inc. have applied for Tentative Parcel Map PR 02-0434, to subdivide the 4.7 acre site into 7 parcels ranging in size from 12,600 square feet to 1- acre; and

WHEREAS, the applicants are requesting that the Planning Commission allow the joint use of parking facilities between the offices and the restaurants as described in Section 21.22.130 of the Zoning Code; and

WHEREAS, by allowing joint use parking per Section 21,22,130 of the Zoning Code, the total number of parking spaces would be reduced by thirty-four (34); and

WHEREAS, at its May 27, 2003 meeting, the Planning Commission held a noticed public hearing on the Gateway Project, to accept public testimony on the proposal including Planned Development 02-017 and related applications; and

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

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

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

1. The proposed Gateway Project will not be detrimental to the City's efforts to revitalize Downtown Paso Robles since the Project is a destination resort hotel with ancillary/related land uses consistent with the City's Economic Strategy.

2. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16A (Planned Development Overlay District Regulations) as follows:
 - A. The granting of the Planned Development (PD) will not adversely affect the policies, spirit and intent of the General Plan, the Zoning Ordinance, and the policies and plans of the City.
 - B. The Gateway Project maintains and enhances the significant natural resources on the site. This has been accomplished through the use of extensive landscaping, and establishment of enhanced architecture.
 - C. The Gateway Project is designed to be sensitive to, and blend in with, the character of the site and surrounding area. This has been accomplished through the use of extensive landscaping, and establishment of enhanced architecture.
 - D. The design and the density of the Gateway Project is compatible with the surrounding development and does not create a disharmonious or disruptive element to the neighborhood.
 - E. The Gateway Project is consistent with the purpose and intent of the Planned Development Chapters of the Zoning Ordinance and the Project is not contrary to the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 02-017, subject to the following conditions:

STANDARD CONDITIONS:

1. The Gateway Project shall comply with all Conditions of Approval and Exhibits contained in this Resolution and the associated Resolutions for the above-referenced PR 02-0434.
2. The Gateway Project shall comply with the checked standard Conditions of Approval, attached hereto as Exhibit A and incorporated by reference herein.

PLANNING 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.

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

EXHIBIT	DESCRIPTION
A	Standard Conditions of Approval
B	Site Plan
C	Architectural Elevations

D	Site Furnishings
E	Preliminary Grading Plan
F	Utility Plan
G	Cross Sections
H	Tentative Parcel Map
I	Preliminary Landscaping Plan
J	Color and Materials Board (on file in the Community Development Dept.)

4. This Development Plan for PD 02-017, together with the application for Tentative Parcel Map PR 02-0434, allows for development and operation of the 35,500 square feet of professional office complex where 8,500 of the 35,500 square feet would be for food service uses.
5. Prior to issuance of a Building Permit for each "pad" site, the applicant shall apply for a Major Site Plan Review where the following information will need to be provided for review and approval by the Development Review Committee:
 - a. The Site Plan submittal is to be accompanied by submittal of the detailed plans of: 1) the site landscaping and irrigation, 2) the signage program, 3) the precise grading and drainage.
 - b. The Final Plans and the accompanying detailed plans are to be in substantial conformance with Exhibits B through J, which Exhibits have been incorporated into this Resolution as per Site Specific Condition No. 3.
 - c. All accessory elements including but in no way limited to trash enclosures, mechanical screens, decorative paving, outdoor lighting, building mounted lighting, tables, chairs, benches, and wall/fences shall be substantially compliant with the architectural theme established for the Gateway Project as shown on the Exhibits B through J.
6. Prior to issuance of a grading permit, the following notes shall be added to the plans:
 - a. The site grading is to be in substantial conformance with the graphic representation and site sections provided.
 - b. Disturbed areas will be replanted with appropriate ground cover and/or erosion control mix immediately following grading so as to stabilize the site and prevent erosion. Other erosion control measures (such as siltation fences, mulching and hydro seeding) may be required by the City as part of the Conditions attached to the grading permit.
 - c. Any existing Oak trees located on the project site shall be protected and preserved as required in City's Oak Tree Preservation Ordinance No. 835 N.S, as codified in Chapter 10.01 - Oak Tree Preservation of the Municipal Code, unless specifically authorized by the City Council to be removed.
 - d. If, during site preparation, archeological resources are discovered, all work in the area shall stop and the Planning Division shall be notified. An assessment, including specific mitigation measures, shall be prepared by a qualified individual/consultant, at the applicant's expense, and submitted to the City for review and approval. The recommended mitigation measures shall be followed prior to resuming work in the area.

- e. The foundations and structural design of the buildings shall be consistent with the Uniform Building Code in order to address potential exposure to soils/geologic conditions and seismic hazards.
- 7. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval. (This provision is not intended to prevent small containers of fuel or maintenance chemicals normally associated with commercial lodging and/or landscape maintenance).
- 8. Temporary construction noise levels in excess of 60 dBLdn shall be restricted to the daylight hours of 7am to 6pm. Noise levels shall be measured or monitored from site boundaries or the nearest adjoining residential use to determine compliance.

ENGINEERING SITE SPECIFIC CONDITIONS:

- 9. The applicant shall construct curb, gutter and sidewalk on the south side of 1st Street. The alignment will result with a 54-foot curb to curb width in a 74-foot right-of-way. This will provide a City collector standard with a center turn lane for ingress and egress to and from the project. The striping design shall include:
North side: Parking, bikeway, thru lane, half turn lane (30 feet)
South side: Half turn lane, thru lane, bikeway, *no parking* (24 feet)
- 10. This section shall be transitioned into the existing curb along the south side of first street near Spring Street. A raised median shall be constructed from Spring Street to Oak Street, with a left turn pocket provided to access the site.
- 11. The applicant shall construct curb, gutter and sidewalk on Vine Street in accordance with City West Side Standard A-12.
- 12. All on-site utilities shall be privately maintained. Therefore, each fire line connection to City water mains in adjacent streets will require a double check valve assembly. Water meters for each unit will be placed at the nearest adjacent street.
- 13. All existing overhead utilities on Vine Street and 1st Street shall be relocated underground.
- 14. A Storm Water Pollution Prevention Plan must be submitted prior to issuance of a grading permit. Storm water quality mitigation measures must be incorporated into the grading and drainage design. Storm water detention must be incorporated into the project in accordance with City Standards or as approved by Caltrans. A Caltrans encroachment permit, or letter of acknowledgement form the Department Permits Office, will be required for storm water discharge.
- 15. Prior to the issuance of a Building Permit, the applicant shall enter into an agreement to not protest the future assessment district for road improvements to the west side of South Vine Street if needed.

AIR POLLUTION CONDITIONS:

16. The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in section 6.4 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:

- a. Reduce the amount of the disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stockpile areas should be sprayed daily as needed.
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
- e. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
- g. 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.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible

17. NO_x Control Measures:

To minimize emission from construction equipment during this project, the following measures should be implemented:

- a. The project owner should ensure that all construction equipment be properly maintained and tuned according to manufacturer's specifications.
- b. The project owner should ensure that all off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, be fueled exclusively with CARB motor vehicle diesel fuel.

18. Site Designing Elements:

These measures will increase the viability of choosing an alternative form of transportation thus decreasing dependence on private vehicle trips and they will reduce evaporative emissions from parked vehicles. Include as many of the following Site Design measures as feasible:

- a. Provide bike parking at a ratio of one bike parking space for every 10 employee automobile spaces.
- b. Provide preferential carpool parking for employees.
- c. Increase trees in the parking lot landscaping to provide shade, reducing surface temperatures.
- d. Use lighter color roofing and road materials.
- e. Provide on-site banking (ATM) and postal services.
- f. Since the project is located on an established transit route, establish a transit stop or if one is already present, make improvements to the stop such as:
 - Providing better public transit accessibility by implementing transit turnouts
 - Providing better or more shelters for transit riders
 - Providing bike lockers at or near the transit stop.
- g. Provide direct pedestrian access between the public transit stop and the two projects.

19. Energy Efficiency Elements: Increasing the energy efficiency for these projects will decrease the demand on electrical supply, thus reducing emissions at the power plant source. Include the following Energy Efficiency measures as feasible:

- a. When feasible, buildings shall use built-in-energy efficient appliances, double-paned windows, and energy efficient lighting. Building construction shall attempt to increase efficiency above what is required by Title 24 requirements.

20. Transportation Demand Element: Establish an Employee Transportation coordinator to inform and update the employees at the two project locations of the transportation alternatives that are available.

21. Applicant shall fund up to \$6000 toward the bikeway improvements within the City and/or to help fund a shuttle to serve occupants of the subject properties. The fees shall be paid prior to issuance of a Building Permit.

OAK TREE MITIGATION

22. The following mitigation measures shall be incorporated into the construction drawings for the project. A letter from the Arborist acknowledging that the appropriate measures have been taken will be required prior to the issuance of a Grading or Building Permit:

Tree 1:

- a. Sidewalk within the CRZ shall be made of pervious materials, such as interlocking pavers (on non-compacted sand base), or other alternative as approved by the City Engineer.
- b. Extend the CRZ into the corners of the planter, adding 80 square feet of protected area.
- c. Allow no more than three feet of working room alongside the building west side.

Tree 2

- a. This tree is located within the street easement and is proposed to be removed. This request will take City Council approval for removal. If the City Council does not allow the removal of the tree, the tree will need to be designed around in accordance to direction by the Arborist and the City Engineer.

Tree 3

- a. Because the outer edge of the CRZ is impacted due to the paving, an additional 350 square feet of CRZ will be added in the planter area west of the tree.
- b. The elevation change at the driveway shall be supported by a retaining wall built at the back of the curb.
- c. Remove all Tree-of-Heaven within this planter by hand digging.

Tree 4

- a. Install permanent erosion control matting along the bottom of the swale. Submit matting material sample to Arborist prior to installing. Matting area to be 15 feet wide by 110 feet long.
- b. Limit the construction access to the toe of the slope west of the tree.
- c. Limit the construction access to 15 feet outside the south wall of Building A.
- d. Remove all Tree-of-Heaven within 100 feet of this tree. Equipment may be used outside of CRZ to perform this work; handwork is required inside of CRZ. Provide long-term efforts to maintain this distance.

23. The Arborist shall be on site to monitor any work within the CRZ of any of the oak trees on site.
24. The Protection Requirements, as listed in the Arborist Report performed by Carolyn Leach on March 18, 2003, shall be listed on the grading plans.

KIT FOX MITIGATION:

25. Prior to the issuance of a Grading Permit, the property shall be resurveyed specifically for Kit Fox immediately prior to the start of construction/grading activities.

NOISE:

26. There are no areas on the site which could readily be imagined as "outdoor activity" areas where noise levels will exceed 65 Ldn / CNEL. It is recommended, however, that all such areas be located as much as possible near the interior of the site and not exposed directly (via line of site) to Highway 101 or the 101 onramp if at all possible.

BIOLOGICAL

- 27. Prior to issuance of a Grading Permit, the applicant shall follow any mitigation requirements from encroachment permits as needed from other agencies for working within the drainage ways on site,
- 28. All recommended conditions within the Habitat assessment performed by Baxter Biological Consulting need to be conformed with to the satisfaction of the Biologist, prior to the issuance of a grading permit.

EMERGENCY SERVICES SITE SPECIFIC CONDITIONS:

- 29. Hydrant spacing on Vine Street shall comply with multi-family/commercial requirements.
- 30. Bridges and crossings constructed on primary and secondary roads shall be designed and constructed to be able to support the imposed loads of all fire department apparatus.
- 31. All secondary and emergency access roads shall meet Uniform Fire Code specifications and conform to the requirements contained within the City Zoning Code.
- 32. Prior to the start of construction information shall be submitted to the Fire Department showing the required fire flows can be provided to meet all demands.
- 33. Access from 1st Street and Vine Street must be completed prior to project acceptance.

PASSED AND ADOPTED THIS 27th day of May, 2003 by the following Roll Call Vote:

- AYES: Warnke, Ferravanti, Johnson, Steinbeck, Kemper
- NOES: Flynn
- ABSENT: Calloway
- ABSTAIN: None

CHAIRMAN RON JOHNSON

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY