

**RESOLUTION NO.: 04-125**

**A RESOLUTION OF  
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES  
APPROVING PLANNED DEVELOPMENT 04-015 FOR  
A LIGHT MANUFACTURING DEVELOPMENT PROJECT LOCATED  
AT 1500 RAMADA DRIVE, APN: 009-631-006  
(NICK POKRAJAC- APPLICANT AND PROPERTY OWNERS)**

**WHEREAS**, Planned Development 04-015 has been filed by Nick Pokrajac; and

**WHEREAS**, Planned Development 04-015 is a proposal to construct two light industrial buildings that propose two building to be 20,800 s.f. and 22,000 s.f. respectively; and

**WHEREAS**, the project site is zoned Manufacturing Planned-Development (M P-D), and complies with the guidelines and standards of the Zoning Ordinance and is designed to be compatible with the surrounding development pattern and architectural character; and

**WHEREAS**, the General Plan land use designation of the site is Business Park (BP) and is consistent with the intent of this land use category; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on September 26, 2004 on this commercial project, to accept public testimony on the Planned Development application, PD 04-015 and associated environmental review; 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 commercial project will not result in significant environmental impacts and it is appropriate for the Planning Commission to adopt a Mitigated Negative Declaration, which is included in a separate resolution; 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 project is consistent with the adopted codes, policies, standards and plans of the City; and
2. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding neighborhood, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and
3. The proposed development plan accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors; and the public right-of-way; and
4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts; and

5. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc.; and
6. The proposed development plan contributes to the orderly development of the City as a whole.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 04-015, subject to the following conditions:

**STANDARD CONDITIONS:**

1. This project shall comply with the checked standard Conditions of Approval, attached hereto as Exhibit “A” and incorporated herein by reference.

**SITE SPECIFIC CONDITIONS:**

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

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

<b>EXHIBIT</b>	<b>DESCRIPTION</b>
A	Standard Conditions of Approval
B	Site Plan
C	Exterior Elevations

3. This PD 04-015 allows for development of two buildings that may include light manufacturing (20,000 s.f.), warehousing (15,600 s.f.), and commercial service uses (7,350 s.f.) on the project site. Any intensification of uses that would result in additional traffic impacts would require an amended Traffic Study and mitigation measures as necessary.
4. The project shall be designed and constructed to be in substantial conformance with the site plan and elevations approved with this resolution.
5. This PD 04-015 is valid for a period of two (2) years from approval. Unless permits have been issued and site work has begun, the approval of PD 04-015 shall expire on October 26, 2006. The Planning Commission may extend this expiration date for an additional three (3) years if a time extension application has been filed with the City along with the fees before the expiration date.
6. Prior to issuance of certificates of use and occupancy, the property-owner or authorized agent is required to pay the City’s Development Impact Fees.
7. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
8. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
9. Prior to occupancy, the applicant shall construct curb, gutter and sidewalk on Ramada Drive in accordance with plans approved by the City Engineer. The plans and construction program shall include installation of street lights, underground utilities, and fire hydrants if required by the Fire Chief.

10. 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.
11. The project shall be in compliance the following recommendations of the San Luis Obispo County Air Pollution Control District so as to minimize creation of fugitive dust and other emission resulting from use of construction equipment as follows:

**CONSTRUCTION PHASE MITIGATION:**

Dust Control Measures

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. Due to this project's proximity to neighboring commercial uses the APCD conditions this project to comply with all applicable air quality regulations pertaining to the control of fugitive dust (PM10) as contained in section 6.5 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 stock pile 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 planned 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.

All PM10 mitigation measures required should be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. **The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and finished grading of the area.**

Naturally Occurring Asbestos

If the project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed.** If

NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Karen Brooks of our Enforcement Division at 781-5912.

#### Permits

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Portable equipment used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or a District permit. Operational sources, such as back up generators, may also require APCD permits. **To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

#### **OPERATIONAL PHASE MITIGATION:**

The APCD staff considered the operational impact of this commercial development by running the URBEMIS 2002 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. This indicated that operational phase impacts will not likely be more than the APCD's CEQA Tier I significance threshold value of 10 lbs/day for nitrogen oxides (NOx), Reactive Organic Gases (ROG) and Particulate Matter (PM10). However, the following measures are recommended to be incorporated to address operational impacts to the extent feasible.

#### **Standard Mitigation Measures**

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- Provide employee lockers to encourage employees to bike and/or walk to work.
- Increase the building energy efficiency rating by 10% above what is required by Title 24 requirements. This can be accomplished in a number of ways (increasing attic, wall, or floor insulation, installing double pane windows, using efficient interior lighting, etc.).

#### **Additional Mitigation Measures Site Design Mitigation for this Commercial Project**

- Increase street shade tree planting.
- Increase shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- Provide on-site child care facilities for use by employees.
- Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment with designated walkways.
- Provide pedestrian signage to improve pedestrian safety.

#### **Transportation Demand Mitigation**

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.
- Implement the incentive based Transportation Choices Program. The applicant should work with the Transportation Choices Coalition partners to receive free consulting services on how to start and maintain a program. Contact SLO Regional Rideshare at 541-2277.
- Provide Transportation Choices Program information centers on alternative transportation modes at the site (i.e. a transportation kiosk). Contact SLO Regional Rideshare for appropriate materials at 541-2277.

Energy Efficiency Measures

- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
  - Use low energy parking lot and street lights (e.g. sodium).
  - Install door sweeps or weather stripping if more energy efficient doors and windows are not available.
  - Install high efficiency or gas space heating.
12. Use and operation of the project and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).
13. The applicant shall enter into an Agreement to Participate in Interim Interchange improvements at the Highway 46 West and 101 Interchange, and an Agreement Not to Oppose Formation of an Assessment District for Highway 46 West and 101 Interchange Improvements.
14. Prior to occupancy, the applicant shall provide street lights in accordance with City Standards and plans approved by the City Engineer.
15. Prior to occupancy, the applicant shall provide three fire hydrants on the project site installed in accordance with City Standards and plans approved by the City Engineer and Emergency Services.
16. Prior to occupancy, the applicant shall relocate overhead utility lines serving the property underground (with the exception of 70kv transmission lines), or the applicant shall enter into an agreement with the City in a form approved by the City Attorney to not oppose the formation of an underground utility district for the purpose of undergrounding overhead utility lines.
17. The applicant shall record a 10 foot drainage easement along the northern property boundary prior to occupancy of structures. Or the applicant may record a five foot drainage easement along the northern property boundary and a five foot drainage easement on the adjacent property to the north for the purpose of providing a combined 10 foot drainage easement. If the drainage easement includes five feet of land on the adjacent property to the north, the five foot drainage easement on that property shall also be recorded prior to certificate of occupancy on the applicant's property.

PASSED AND ADOPTED THIS 26<sup>th</sup> day of October, 2004 by the following Roll Call Vote:

AYES: Commissioners – Ferravanti, Johnson, Kemper, Hamon, Mattke, Steinbeck, and Chair Flynn  
NOES: Commissioners - None  
ABSENT: Commissioners - None  
ABSTAIN: Commissioners - None

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CHAIRMAN TOM FLYNN

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY