#### **RESOLUTION NO.:** <u>06-0102</u>

# A RESOLUTION OF THE PLANNING COMMISSIONOF THE CITY OF PASO ROBLES APPROVING PLANNED DEVELOPMENT 06-016 APN: 009-314-049 APPLICANT – NCI AFFILIATES

**WHEREAS**, Planned Development 06-016 has been filed by MW Architecture on behalf of NCI Affiliates, proposing to develop a 15,000 square foot building; and

WHEREAS, the project complies with the guidelines and standards of the Zoning Ordinance; and

**WHEREAS**, the project complies with the BP (Business Park) General Plan land use designation and the Zoning Ordinance PM (Planned Manufacturing) zoning district, and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on December 12, 2006 on this project to accept public testimony on the Planned Development application PD 06-016; and

**WHEREAS**, the proposed parcel map is Categorically Exempt from environmental review per Section 15332 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA); 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 area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and
- 3. The proposed development plan 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.
- 7. The proposed development plan as conditioned would meet the intent of the General Plan and Zoning Ordinance by providing the opportunity for clean attractive business to be located in the Business Park/Planned Industrial designated areas of the City.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 06-016, subject to the following conditions:

#### STANDARD CONDITIONS:

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

#### SITE SPECIFIC CONDITIONS:

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

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

<b>EXHIBIT</b>	DESCRIPTION
A	Standard Conditions
B	Title Sheet
C	Existing Topography / Site Plan
D	Preliminary Grading & Drainage
E	Schematic Site & Grading Plan
F	Schematic Floor Plan
G	Schematic Exterior Elevations
Н	Site Perspectives
I	Schematic Landscape Plan
F	Color Boards (on-file)

- 3. This PD 06-016 allows for development of a 15,000 square foot building light-industrial/office buildings with ancillary parking and landscaping.
- 4. In the future if another business requests to occupy the building either as a tenant with NCI, or as an entire separate business, the use shall comply with Table 21.16.200, Permitted Land Uses for All Zoning Districts. Some uses may require the need for a Conditional Use Permit in the PM zoning district.
- 5. Prior to the issuance of a building permit for the main building the following final details shall be submitted for DRC 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;
  - e. Plans for Storage Building (exterior color & materials will need to match primary building)
  - f. Fencing Plan
- 6. The sprinkler backflow valve shall be located in an underground vault or adequately screened from public view on Golden Hill Road with vegetation that is dense and high enough to conceal it.
- 7. Any roof mounted equipment shall be fully screened. The building parapet may need to be raised in order to accomplish full screening. Prior to the issuance of a building permit, architectural elevations along with building cross sections shall be submitted to the DRC showing how roof screening will be accomplished.

8. 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:**

#### **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

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 <a href="http://www.slocleanair.org/business/asbestos.asp">http://www.slocleanair.org/business/asbestos.asp</a> 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.

- 9. Prior to occupancy, the applicant shall extend curb, gutter and sidewalk on Linne Road to the west boundary of the property.
- 10. Prior to occupancy, the applicant shall install a new fire hydrant at the intersection of Linne and Fontana Roads.
- 11. Provide fire sprinkler system for residential, commercial, and industrial buildings.
- 12. Prior to the start of construction, documentation shall be submitted to Emergency Services showing that required fire flows can be provided to meet all project demands.

PASSED AND	ADOPTED THIS 12 <sup>th</sup> day of December, 2006 by the following Roll Call Vote:	
AYES:	Steinbeck, Menath, Flynn, Withers, Johnson, Holstine	
NOES:	None	
ABSENT:	None	
ABSTAIN:	None	
	VICE – CHAIRMAN, MARGARET HOLSTINE	
ATTEST:		
ATTEST:		
DON WHICEN	AND DIANNING COMMISSION SECRETARY	
RON WHISENAND, PLANNING COMMISSION SECRETARY		

#### EXHBIT A OF RESOLUTION NO.: 06-0102

#### CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS FOR PLANNED DEVELOPMENTS / CONDITIONAL USE PERMITS

PROJECT #:	Planned Development 06-016
APPROVING BODY:	PLANNING COMMISSION
DATE OF APPROVAL:	DECEMBER 12, 2006
APPLICANT:	NCI Affiliates, Inc.
LOCATION:	LINNE ROAD

The following conditions that have been checked are standard conditions of approval for the above referenced project. The checked conditions shall be complied with in their entirety before the project can be finalized, unless otherwise specifically indicated. In addition, there may be site specific conditions of approval that apply to this project in the resolution.

COMMUNITY DEVELOPMENT DEPARTMENT - The applicant shall contact the Community Development Department, (805) 237-3970, for compliance with the following conditions:

#### A. GENERAL CONDITIONS:

- 1. This project approval shall expire on <u>December 12, 2007 (See Planned Development Approval Resolution)</u> unless a time extension request is filed with the Community Development Department prior to expiration.
- Z. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- Any site specific condition imposed by the Planning Commission in approving this project 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. This project is subject to the California Environmental Quality Act (CEQA) which requires the applicant submit a \$25.00 filing fee for the Notice of Determination payable to "County of San Luis Obispo". The fee should be submitted to the Community Development Department within 24 hours of project approval which is then forwarded to the San Luis Obispo County Clerk. Please note that the project may be subject to court challenge unless the required fee is paid.
- 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.
- 8. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
- 9. All trash enclosures shall be constructed of decorative masonry block compatible with the main buildings. Gates shall be view obscuring and constructed of durable materials such as painted metal or chain link with plastic slatting.
- All existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans.
- All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans.
- All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and shall be subject to approval by the Community Development Director or his designee.

	13.	All existing and/or new landscaping shall be installed with automatic irrigation systems.
	14.	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.
	15.	The following areas shall be placed in the Landscape and Lighting District:
		The developer shall install all improvements and landscape areas. City acceptance on behalf of the Landscape and Lighting District shall be subject to the approval of the Public Works Street Department (237-3864).
	16.	All parking lot landscape planters shall have a minimum outside dimension of six feet and shall be separated from parking and driving areas by a six inch high solid concrete curb.
	17.	The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:
$\boxtimes$	18.	It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.
В.		FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ANCE OF BUILDING PERMITS:
$\boxtimes$	1.	Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the

Community Development Department prior to the issuance of building permits.

	2.	Prior t  □	Develo	opment	of building permits, the Review Committee shall approve the following: sion Staff shall approve the following:
			$\boxtimes$	a.	A detailed site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
			$\boxtimes$	b.	A detailed landscape plan;
			$\boxtimes$	c.	Detailed building elevations of all structures indicating materials, colors, and architectural treatments;
				d.	Other: See PD 00-023 Resolution for specific DRC review requirements.
	3.	issuan incorp	ce of borated in the contract of the contract	ouilding into the	meet with the City's Crime Prevention Officer prior to the permits for recommendations on security measures to be design of the structures to be constructed. The applicant is the Police Department at (805) 237-6464 prior to plan check
С.		FOLL UPANC		G CO	NDITIONS SHALL BE COMPLETED PRIOR TO
	1.	Buildi to occ Buildi	ng Code upancy, ng Divi	e and U plans s ision to	acility shall not commence until such time as all Uniform inform Fire Code regulations have been complied with. Prior hall be submitted to the Paso Robles Fire Department and the show compliance. The building shall be inspected by the nt prior to occupancy.
	2.	proper be irri follow larger cover. plane. develo submi- adequa	gated a size sh Trees Slope per priot a slope ate land	cess of nd land 15-gallo rub per and shr planting or to occeptanting discaping	nanufactured slopes located adjacent to public right-of-ways on six (6) feet in vertical height and of 2.5:1 or greater slope shall scaped for erosion control and to soften their appearance as in tree per each 250 square feet of slope area, one 1-gallon or each 100 square feet of slope area, and appropriate ground jubs shall be staggered in clusters to soften and vary the slope shall include a permanent irrigation system be installed by the cupancy. In lieu of the above planting ratio, the applicant may g plan by a licensed landscape architect or contractor providing g, erosion control and slope retention measures; the slope ject to approval by the Development Review Committee.

Hydroseeding may be considered on lots of 20,000 square feet or greater.

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## PUBLIC WORKS DEPARTMENT - The applicant shall contact the Engineering Division, $(805)\ 237-3860$ , for compliance with the following conditions:

APPI	LICANT:	NCI PREPARED BY: JF		
REPI	RESENT	ATIVE: CHECKED BY:		
PRO.	JECT:	PD 06-016 TO PLANNING:		
All c	onditions	marked are applicable to the above referenced project for the phase indicated.		
D.	PRIO	R TO ANY PLAN CHECK:		
	1.	The applicant shall enter into an Engineering Plan Check and Inspection Servi Agreement with the City.	ces	
E.	PRIO	R TO ISSUANCE OF A GRADING PERMIT:		
	1.	Prior to approval of a grading plan, the developer shall apply through the City, FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. I developer's engineer shall provide the required supporting data to justify application.	Γhe	
	2.	The proposed structures and grading shall not encroach into the 100-year floodway as specified in Municipal Code Chapter 21.14 "Flood Damage Prevention Regulations".		
	3.	Any existing Oak trees located on the project site shall be protected and preserved required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak T Preservation", unless specifically approved to be removed. An Oak tree invent shall be prepared listing the Oak trees, their disposition, and the proposed location any replacement trees required. In the event an Oak tree is designated for removan approved Oak Tree Removal Permit must be obtained from the City, prior removal.	ree ory of val,	
	4.	A complete grading and drainage plan prepared by a registered civil engineer shape included with the improvement plans. Drainage calculations shall be submitted with provisions made for on-site detention/ retention if adequate disposal facility are not available, as determined by the City Engineer.	ed,	

	<i>3</i> .	engineer for the property to determine the presence of expansive soils or other soils problems and shall make recommendations regarding grading of the proposed site.
F.	PRIO	R TO ANY SITE WORK:
	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, together with the improvement plans. The composite utility plan shall also be signed by the Water, Fire, Wastewater, and Street Division heads.
	3.	Any grading anticipated during the rainy season (October 15 to April 15) will require the approval of a Construction Zone Drainage and Erosion Control Plan to prevent damage to adjacent property. Appropriateness of areas shall be subject to City Engineer approval.
	4.	Any construction within an existing street shall require a Traffic Control Plan. The plan shall include any necessary detours, flagging, signing, or road closures requested. Said plan shall be prepared and signed by a registered civil or traffic engineer.
	5.	Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require a signature of approval by the Department of Public Works, Street Superintendent and the Community Development Department.
	6.	The owner shall offer to dedicate and improve the following street(s) to the standard indicated:
		Linne RoadIndustrialA-4Street NameCity StandardStandard Drawing No.
	7.	The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:
		a. Public Utilities Easement;

A Preliminary Soils and/or Geology Report shall be prepared by a registered

5.

 $\boxtimes$ 

		<ul> <li>□ b. Water Line Easement;</li> <li>□ c. Sewer Facilities Easement;</li> <li>□ d. Landscape Easement;</li> <li>□ e. Storm Drain Easement.</li> </ul>			
G.	PRIO	R TO ISSUANCE OF A BUILDING PERMIT:			
	1.	A final soils report shall be submitted to the City prior to the final inspection and shall certify that all grading was inspected and approved, and that all work has been done in accordance with the plans, preliminary report, and Chapter 70 of the Uniform Building Code.			
$\boxtimes$	2.	The applicants civil and soils engineer shall submit a certification that the rough grading work has been completed in substantial conformance to the approved plans and permit.			
	3.	When retaining walls are shown on the grading plan, said walls shall be completed before approval of the rough grade, and prior to issuance of any building permits, unless waived by the Building Official and the City Engineer.			
	4.	All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.			
	5.	Building permits shall not be issued until the water system has been completed and approved, and a based access road installed sufficient to support the City's fire trucks per Fire Department recommendation.			
	6.	The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:   a. Street lights;  b. Parkway and open space landscaping;			
		<ul> <li>□ c. Wall maintenance in conjunction with landscaping;</li> <li>□ d. Graffiti abatement;</li> <li>□ e. Maintenance of open space areas.</li> </ul>			
	7.	Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map (FIRM) - in zones A1-A30, AE, AO, AH, A, V1-V30, VE and V - the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.			
	8.	Prior to the issuance of a Building Permit for a building within Flood Insurance Rate			

Map (FIRM) in zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide a Flood Proofing Certificate in accordance with the National Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State California.

#### H. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

$\boxtimes$	1.	The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services and any outstanding annexation fees.
	2.	No buildings shall be occupied until all public improvements are completed and approved by the City Engineer, and accepted by the City Council.
	3.	All final property corners and street monuments shall be installed before acceptance of the public improvements.
	4.	All top soil removed shall be stockpiled and evenly distributed over the slopes and lots upon completion of rough grading to support hydroseeding and landscaping. All slope areas shall be protected against erosion by hydroseeding or landscaping.
	5.	The applicant shall install all street names, traffic signs and traffic striping as directed by the City Engineer.
	6.	If the adjoining existing City street is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall remove the entire roadway and replace it with a minimum full half-width street plus a 12' wide travel lane and 8' wide graded shoulder adequate to provide for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).
	7.	If the development includes a phased street construction along the project boundary for future completion by the adjacent property owner, the applicant shall provide a minimum half-width street plus a 12' wide travel lane and 4' wide graded shoulder adequate for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).
	8.	When the project fronts on an existing street, the applicant shall pave-out from the proposed curb to the edge of pavement if the existing pavement section is adequate, and shall feather the new paving out to the centerline for a smooth transition. If the existing pavement is inadequate, the roadway shall be replaced to centerline and the remaining pavement shall be overlaid. (A finding of "rough proportionality" has been made in the resolution for this condition).

- 9. Any utility trenching in existing streets shall be overlaid to restore a smooth riding surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City streets.
- Prior to paving any street the water and sewer systems shall successfully pass a pressure test. The sewer system shall also be tested by a means of a mandrel and video inspection with a copy of the video tape provided to the City. No paving shall occur until the City has reviewed and viewed the sewer video tape and has determined that the sewerline is acceptable. Any repair costs to the pipeline including trench paving restoration shall be at the developer's expense.
- A blackline clear Mylar (0.4 MIL) copy and a blueline print of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. A reduced copy (i.e. 1" = 100') of the composite utility plan shall be provided to update the City's Atlas Map.
- 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.

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### PASO ROBLES FIRE DEPARTMENT - The applicant shall contact the Fire Department, (805) 237-3973, for compliance with the following conditions:

#### I. GENERAL CONDITIONS

