

RESOLUTION NO.: 06-069

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF PASO ROBLES
APPROVING PLANNED DEVELOPMENT 06-005
LOT 2 ON THE DANLEY COURT, GOLDEN HILLS INDUSTRIAL PARK
APN: 025-421-052, APPLICANT – SAFARI PROPERTIES, LLC**

WHEREAS, Planned Development 06-005 has been filed by Safari Properties, LLC; and

WHEREAS, Planned Development 06-005 is a proposal to construct a multi-tenant, commercial/light industrial development with up to 21,520 s.f.; and

WHEREAS, the project complies with the standards of the Zoning Code, Conditions of Approval of Tract 2269, Airport Land Use Plan, and the Commercial/Industrial Design Guidelines; and

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

WHEREAS, the Planning Commission held a duly noticed public hearing on August 22, 2006 on this project to accept public testimony on the Planned Development application PD 06-005 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 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 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 project implements the intent of the 2006 Economic Strategy by providing a quality development project that will attract economic development and employment opportunities in the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 06-005, 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:

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

3. This PD 06-005 allows for development of light manufacturing and commercial uses as permitted in the Zoning Ordinance on the project site.
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 06-005 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 06-005 shall expire on August 22, 2008. 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. All improvements, including frontage improvements and street tree planting along Danley Court shall be constructed and installed to City standards.
10. All existing and new overhead utilities shall be placed underground, except as otherwise exempted by City codes.
11. Temporary construction noise levels in excess of 60 decibels 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.
12. 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

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.**

- 13. 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).
- 14. Prior to grading permit, the applicant shall provide plans for the treatment of storm water leaving the site.

15. The applicant will be required to provide a storm water detention basin in accordance with a design approved by the City Engineer.
16. Parkway landscaping in accordance with plans approved by the Planning and Streets Divisions shall be completed prior to occupancy of the building.
17. Per Tract 2269 Conditions of Approval the following additional conditions shall apply:
 - a. Use of tree species such as London Plane with rapid growth characteristics and spread, shall be utilized in parking areas.
 - b. Provide one (1) fifteen (15) gallon size tree per five parking stalls shall be provided.
18. A Constructive Notice shall be recorded prior to building final of the building that provides notice to the property owner that all uses shall comply with the applicable parking standards such that uses on the site may not exceed a parking demand requiring 46 spaces at any one time.
19. The applicant shall enter into an agreement not to protest the formation of an Assessment District for future improvements required at the intersection of Highway 46 and Golden Hill Road. The agreement shall be in a form approved by the City Attorney and the City Engineer and shall be recorded prior to issuance of building permits.
20. A sign permit shall be submitted for any signs proposed and shall be reviewed and approved by the Development Review Committee.
21. The applicant shall enter an agreement to pay the Highway 46 and Golden Hill Road interchange fees established for the Borkey Specific Plan.

PASSED AND ADOPTED THIS 22nd day of August, 2006 by the following Roll Call Vote:

AYES: Commissioners Menath, Johnson, Holstine, Steinbeck, Flynn, Withers and Chair Hamon
NOES: None
ABSENT: None
ABSTAIN: None



CHAIRMAN JOHN HAMON

ATTEST:



RON WHISENAND, PLANNING COMMISSION SECRETARY