RESOLUTION NO.: <u>07-059</u>

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PASO ROBLES APPROVING PLANNED DEVELOPMENT 07-006 (EMERITUS ASSISTED LIVING – CRESTON VILLAGE)

APN: 009-751-062 & 63

WHEREAS, Planned Development 07-006 has been filed by North Coast Engineering on behalf of Emeritus Assisted Living, to construct a 16,690 square foot, 22-room addition to the existing Creston Village residential care facility; and

WHEREAS, in conjunction with PD 07-006, the applicant has submitted an application to amend Conditional Use Permit 95-018, for the expansion of the residential care facility use, as required by Table 21.16.200; and

WHEREAS, the project is located 1919 Creston Road; and

WHEREAS, the 9.96 acre site is zoned R3-PD (Residential Multi-Family, Planned Development Overlay), and has a General Plan designation of RMF-12, (Residential Multi-family, 12 units per acre); 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, the Planning Commission held a duly noticed public hearing on June 26, 2007 on this project to accept public testimony on the Planned Development application PD 7-006 and associated environmental review; 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 development plan as conditioned would meet the intent of the General Plan and Zoning Ordinance by providing for a mix of housing types in the multi-family districts.
- 8. The proposed expansion would be consistent with the Zoning, General Plan and Economic Strategy by providing for a range of housing types, densities, and affordability levels to meet the diverse needs of the community.
- 9. The request to not construct additional parking or to re-construct the 28 parking spaces that will be removed by the expansion (thereby providing 91 parking spaces for the entire facility) would meet the intent of the Parking Ordinance since the residential care facility use is similar to an Elderly Housing, which is typically demands a minimal number of parking spaces.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 07-006, subject to the following conditions:

STANDARD CONDITIONS:

- 1. The project shall comply with all conditions of approval contained in the resolution granting approval to Conditional Use Permit 95-018 Amendment and its exhibits.
- 2. The project shall comply with all conditions of approval contained in Res. 95-058, granting approval to the original PD 95-007, attached as Exhibit M.
- 3. 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.

4. 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		
В	Overall Site Plan		
C	Partial Site Plan		
D	First Floor Plan		
E	Second Floor Plan		
F	Roof Plan		
G	Architectural Elevations		
H	Preliminary Grading & Drainage Plan		
I	Preliminary Underground Plan		
J	Site Cross Sections & Details		
K	Conceptual Landscape Plan		
L	Arborist Report		
M	Resolution 95-058		

- 5. This PD 07-006 along with Conditional Use Permit 95-018 Amendment allows for development of a 16,690 square foot, 22-room expansion to the existing Creston Village residential care facility.
- 6. With the approval of PD 07-006, per Section 21.22.040.5 of the Parking Ordinance, the Planning Commission approves the applicant's request to only provide 91 parking spaces for the project and not require the construction of additional 50 parking spaces, since the residential care facility use is similar to Elderly Housing, which typically demands less parking since not all of the residents drive cars. There is adequate space on site to construct additional parking if the Planning Commission determines that it is needed in the future.
- 7. The project shall be designed and constructed to be in substantial conformance with Exhibits A-G approved with this resolution.
- 8. All conditions within the attached Arborist Report (Exhibit L) shall be complied with.
- 9. Prior to the issuance of a grading permit, the applicant shall provide an analysis by the project Arborist indicating the necessary process for relocating Tree No. 3, including the appropriate location. Along with the analysis, the Arborist needs to include an estimate to base a security bond on. The security bond will need to be held by the City for 3 years to have reasonable assurances that the tree has survived the relocation.
- 10. Prior to any grading on the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, as exemption form must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos (Air Toxics Control Measure) ACTM.

- 11. If utility pipelines are scheduled for removal or relocation; or building are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61,Subpart M asbestos NESHAP).
- 12. 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 6.5 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 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

13. Operational Permit Requirements:

If any of the following equipment is present at the site either during construction or in the operational phase of the project, Contact Gary Willey of the District's Engineering division at (805) 781-5912 for specific information regarding permitting requirements:

- Portable generators and equipment with engines that are 50hp or greater;
- Electric generation plants of the use of standby generator;
- Boilers; and
- IC Engines

To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering division at (805) 781-5912 for specific information regarding permitting requirements.

PASSED AND ADOPTED THIS 26th day of June, 2007 by the following Roll Call Vote:

AYES: NOES: ABSENT: ABSTAIN:	Withers, Flynn, Steinbeck, Menath, Holstine None Treatch, Johnson None
	CHAIRMAN MARGARET HOLSTINE
ATTEST:	
RON WHISE	NAND, PLANNING COMMISSION SECRETARY

EXHBIT A OF RESOLUTION 07-059

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

PROJECT #:	PD 07-006
APPROVING BODY:	PLANNING COMMISSION
DATE OF APPROVAL:	JUNE 26, 2007
APPLICANT:	CRESTON VILLAGE EXPANSION
LOCATION:	1919 CRESTON RD.

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 June 26, 2009 (See Planned Development Approval Resolution) 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 NCE OF BUILDING PERMITS:
	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 to the issuance of building permits, the	
		☐ Development Review Committee shall approve the following:	
		☐ Planning Division Staff shall approve the following:	
		a. A detailed site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;	
		□ b. A detailed landscape plan;	
		c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments;	
		d. Other:	
	3.	The applicant shall meet with the City's Crime Prevention Officer prior to the issuance of building permits for recommendations on security measures to be incorporated into the design of the structures to be constructed. The applicant is encouraged to contact the Police Department at (805) 237-6464 prior to plan check submittal.	
C.		FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO JPANCY:	
	1.	Occupancy of the facility shall not commence until such time as all Uniform Building Code and Uniform Fire Code regulations have been complied with. Prior to occupancy, plans shall be submitted to the Paso Robles Fire Department and the Building Division to show compliance. The building shall be inspected by the appropriate department prior to occupancy.	
	2.	All public or private manufactured slopes located adjacent to public right-of-ways on property in excess of six (6) feet in vertical height and of 2.5:1 or greater slope shall be irrigated and landscaped for erosion control and to soften their appearance as follows: one 15-gallon tree per each 250 square feet of slope area, one 1-gallon or larger size shrub per each 100 square feet of slope area, and appropriate ground cover. Trees and shrubs shall be staggered in clusters to soften and vary the slope plane. Slope planting shall include a permanent irrigation system be installed by the developer prior to occupancy. In lieu of the above planting ratio, the applicant may submit a slope planting plan by a licensed landscape architect or contractor providing adequate landscaping, erosion control and slope retention measures; the slope planting plan is subject 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	Creston Village	PREPARED BY: JF
REPI	RESENT	ATIVE: North Coast Eng.	CHECKED BY:
PRO.	JECT:	PD 07-006	TO PLANNING:
All co	onditions	marked are applicable to the abo	ve referenced project for the phase indicated.
D.	PRIO	R TO ANY PLAN CHECK:	
	1.	The applicant shall enter into Agreement with the City.	an Engineering Plan Check and Inspection Services
Е.	PRIO	R TO ISSUANCE OF A GRAI	DING PERMIT:
	1.	FEMA and receive a Letter of	plan, the developer shall apply through the City, to Map Amendment (LOMA) issued from FEMA. The ovide the required supporting data to justify the
	2.		rading shall not encroach into the 100-year floodway Code Chapter 21.14 "Flood Damage Prevention
	3.	required in City Ordinance Preservation", unless specifical shall be prepared listing the Oal any replacement trees required.	on the project site shall be protected and preserved as No. 553, Municipal Code No. 10.01 "Oak Tree ly approved to be removed. An Oak tree inventory k trees, their disposition, and the proposed location of In the event an Oak tree is designated for removal, ral Permit must be obtained from the City, prior to
	4.	be included with the improvem	ge plan prepared by a registered civil engineer shall tent plans. Drainage calculations shall be submitted, the detention/ retention if adequate disposal facilities by the City Engineer.

	5.	A Preliminary Soils and/or Geology Report shall be prepared by a registered 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:	
		Street Name City Standard Standard 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;□ b. Water Line Easement;	

		 □ c. Sewer Facilities Easement; □ d. Landscape Easement; □ e. Storm Drain Easement.
G.	PRIO	OR TO ISSUANCE OF A BUILDING PERMIT:
\boxtimes	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.
\boxtimes	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; □ c. Wall maintenance in conjunction with landscaping; □ d. Graffiti abatement; □ e. Maintenance of open space areas.
	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:

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.

- ☐ 11. 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.
- 12. 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.
- ☐ 13. 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.

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

I. GENERAL CONDITIONS

1.	Fire hydrants shall be installed at intervals as required by the Fire Chief and City Engineer. The maximum spacing for single family residential shall be 500 feet. The maximum spacing for multi-family and commercial/ residential shall be 300 feet. On-site hydrants shall be placed as required by the Fire Chief.
2.	Building permits shall not be issued until the water system, including hydrants, has been tested and accepted and a based access road installed sufficient to support the City's fire apparatus (HS-20 truck loading). The access road shall be kept clear to a minimum of 24 feet at all times and shall be extended to each lot and shall be maintained to provide all weather driving conditions.
3.	No buildings shall be occupied until all improvements are completed and accepted by the City for maintenance.
4.	If the development includes phased street construction, temporary turn-arounds shall be provided for streets that exceed 150 feet in length. The temporary turn around shall meet City requirements as set forth in the Public Works Department Standards and Specifications.
5.	All open space areas to be dedicated to the City shall be inspected by the Fire Department prior to acceptance. A report shall be submitted recommending action needed for debris, brush and weed removal and tree trimming. The developer shall clean out all debris, dead limbs and trash from areas to be recorded as open space prior to acceptance into a Benefit Maintenance District.
6.	Any open space included in a private development shall be subject to the approval of a vegetation management plan approved by the Fire Chief.
7.	Each tract or phase shall provide two sources of water and two points of access unless otherwise determined by the Fire Chief and Public Works Director.
8.	Provisions shall be made to update the Fire Department Run Book.