

RESOLUTION NO.: 09-017  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES APPROVING  
AMENDMENT TO PLANNED DEVELOPMENT 08-011  
(Clayton)  
APN: 025-433-001

WHEREAS, on February 24, 2009, the Planning Commission adopted Resolution 09-010 approving PD 08-011, allowing the import of up to 62,500 cubic yards of fill dirt to be placed on approximately 2.96 acres of an approximately six acre site located on the northeast corner of Highway 46 East and Paso Robles Boulevard; and

WHEREAS, with the approval of PD 08-011, the Commission approved Condition No. 6, which required Paso Robles Boulevard to be improved along the frontage of the property with a new structural paving section, 24 feet wide; and

WHEREAS, on February 27, 2009, Mr. Clayton submitting a letter requesting that Condition No. 6 be amended to allow for the road material to stay as is, but that Mr. Clayton would repair the pot holes and maintain the road; and

WHEREAS, the letter included the signatures of all three property owners that take access from the road; and

WHEREAS, the site is zoned C2,PD, according to Section 21.23B.030(A)(6) Review Requirements of the Zoning Code, allows a property owner to grade a site, where the disturbance is greater than 20,000 square feet without the submittal of development plans, if approved through the Development Plan (PD) public hearing review process by the Planning Commission; and

WHEREAS, after the fill is imported and is compacted it will be approximately 20 feet below Highway 46 East which is considered an entrance to the City; and

WHEREAS, since the fill will be approximately 20 feet below Highway 46 East at this entrance to the City, the fill is not anticipated to conflict with the intent of Goal LU-2 of the General Plan to maintain and enhance the City's image/identity; and

WHEREAS, the fill on its own does not seem to conflict with Gateway Design Plan, however, future development proposed for the site will need to comply with the Gateway Standards; and

WHEREAS, on February 24, 2009, the Planning Commission adopted Resolution 09-009 approving a Mitigated Negative Declaration status for this project, and a Mitigated Negative Declaration was prepared for the proposed Planned Development application in accordance with the California Environmental Quality Act; and

WHEREAS, a public hearing was conducted by the Planning Commission on April 14, 2009, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed Amendment to PD 08-011; 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 Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.23B *Development Review* as follows:
  - A. The design and intensity (density) of the proposed development plan is consistent with the following:
    1. The goals and policies established by the general plan, there is no development proposed with this pre-grading application, future compliance with goals and policies will be required with an application for development in the future;
    2. The policies and development standards established by any applicable specific plan, this site is not located within specific plan area;
    3. The zoning code, particularly the purpose and intent of the zoning district in which a development project is located, this pre-grading project is being complied for as allowed by Section 21.23B.030(A)(6) of the Zoning Code;
    4. All other adopted codes, policies, standards, and plans of the city will be met as a result of complying with the conditions of approval and environmental mitigation measures identified in this resolution and accompanying resolution approving a Mitigated Negative Declaration;
  - B. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the person residing or working in the neighborhood, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city, since the placement of the fill material will be required to be done in a manner that is subject to the City Engineering standards for stabilization to prevent erosion, and standards to insure proper drainage;
  - C. The proposed development plan accommodates the aesthetic quality of the city as a whole, especially where development will be visible from gateways to the city and scenic corridors, since as a result of this pre-grading project the pad elevation of the site will be by approximately 20-feet below the elevation of the highway;
  - D. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides appropriate visual appearance, and contributes to the mitigation of any environmental and social (e.g., privacy) impacts, no development is proposed with this grading project, any future project will need to be reviewed for compliance with the applicable codes including the Gateway Design Plan to insure compatibility;

- E. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, stress courses, oak trees, vistas, historic buildings and structure no development is proposed with this grading project, in the future project will need to be reviewed for compliance with the applicable codes including the Gateway Design Plan to insure compatibility;
- F. The proposed development plan contributes to the orderly development of the city as a whole, in the future project will need to be reviewed for compliance with the applicable codes including the Gateway Design Plan to insure compatibility;
- G. For projects located within the planned development (overlay) district, the proposed development plan is in conformance with the findings listed in Section 21.16A.070, in the future project will need to be reviewed for compliance with the applicable codes including the PD Overlay district regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby rescind Resolution 09-010 and approve an Amendment to Planned Development 08-011, subject to the following conditions:

**STANDARD CONDITIONS:**

- 1. The applicant shall comply with all those conditions which are indicated on "Exhibit A" to this Resolution.
- 2. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Grading and Drainage Plan*
B	Section H. from the Gateway Design Plan

\* Large Scale plans on file in the Community Development Department.

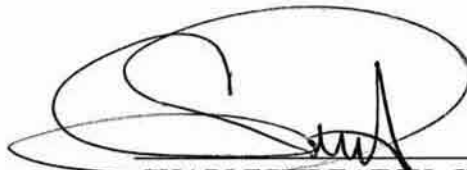
- 3. Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such 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.

**SITE SPECIFIC CONDITIONS:**

4. The approval of Planned Development PD 8-011 in would allow the import up to 62,500 cubic yards of fill dirt to be placed on the 2.96 acres of the larger 6 acre site located on the northeast corner of Highway 46 East and Paso Robles Blvd.
5. Future site development will be subject to the City's development and environmental review process, including compliance with the Gateway Design Standards.
6. Prior to grading, Paso Robles Boulevard shall be improved to a safe and passable condition as required by the City Engineer. During the course of trucking operations this condition must be maintained.
7. Prior to placement of fill material, a soils engineer must provide a preliminary report providing recommendations for site preparation, specifications for imported soil, and specifications for the placement of the imported soil.
8. At the completion of each phase of imported material, a soils engineer shall provide a written statement that the material was placed in accordance with the recommendations of the preliminary report.
9. The City shall be notified 72 hours prior to placement of fill and the source of the fill material shall be identified.
10. Approval of a permit to import fill material does not include the entitlement to build a permanent structure nor does such approval imply that the site is suitable for development.

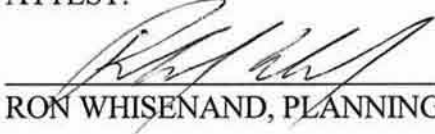
PASSED AND ADOPTED THIS 14<sup>th</sup> day of April; 2009, by the following Roll Call Vote:

AYES: Johnson, Holstine, Nemeth, Peterson, Gregory, Garcia, Treach  
NOES: None  
ABSENT: None  
ABSTAIN: None

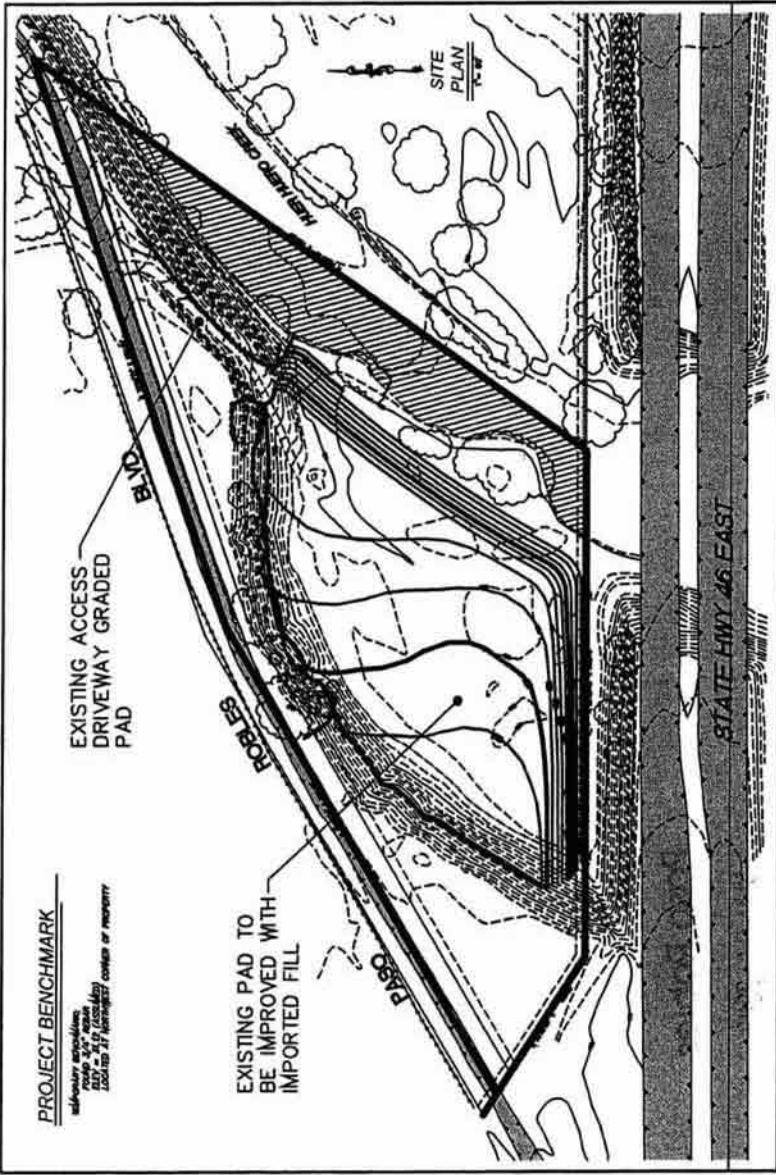


CHARLES TREATCH, CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
RON WHISENAND, PLANNING COMMISSION SECRETARY

# GRADING AND DRAINAGE PLAN PASO ROBLES BLVD.



**PROJECT BENCHMARK**  
 150' and 15' (horizontal) corner of property

### CITY ADOPTED CODE ORDINANCE

- THESE PLANS HAVE BEEN EXAMINED AND ENGINEERED TO MEET THE CONDITIONS OF THE CITY ADOPTED ORDINANCES LISTED:
- CBC-2007 CALIFORNIA BUILDING CODE (2006 IBC) AND CALIFORNIA MECHANICAL CODE (2000 LSC) AND CALIFORNIA ELECTRICAL CODE (2002 REC AND CA AMENDMENTS)
- CEC-2007 CALIFORNIA ELECTRICAL CODE (2002 REC AND CA AMENDMENTS)
- TITLE 24 CALIFORNIA STATE ENERGY AND ACCESSIBILITY STANDARDS 2008
- CHDBMG 2007 USC APPENDIX CHAPTER 35

### WDID NUMBER

THE STATE WATER RESOURCES CONTROL BOARD HAS REVIEWED AND APPROVED THIS PLAN FOR STATE WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION (WDD) PERMITS FOR THIS PROJECT AS A SEWERAGE.

### EROSION CONTROL MONITOR

THE DEVELOPER HAS AGREED TO THE EROSION AND SEDIMENTATION CONTROL PLAN FOR THIS PROJECT AS A SEWERAGE.

FRANK CLAYTON  
 1500 W. 234th St.  
 FORT WORTH, TX 76164

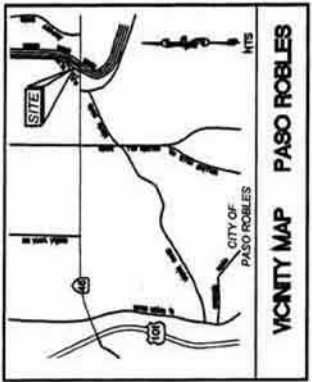


UTILITY  
 11-07

**Exhibit A**  
 Grading & Drainage Plan  
 PD 08-011  
 (Clayton Pre-Grading)

**EMK & Associates, Inc.**  
 ENGINEERING • PLANNING • SURVEYING  
 1505 RAINBOW ST. • PASO ROBLES, CA 93446 • 805/238-4427  
 ENGINEERING LICENSE NO. 4 ORDER R.C.E. # 21348

## PROJECT INFORMATION AND SITE MAP



**PROJECT INFORMATION**  
**OWNER:** MR. FRANK CLAYTON  
 PASO ROBLES, CA 93447  
 (800) 238-1728  
**PROJECT:** PASO ROBLES BLVD. AND HWY 46  
 PARCEL 1 OF PARCEL MAP 164, PG 24  
 IN THE CITY OF PASO ROBLES  
 IN THE STATE OF CALIFORNIA  
**APN/NO:** 028-433-001

**SHEET INDEX**

C1	PROJECT INFORMATION AND SITE MAP
C2	GENERAL NOTES AND REGULATIONS
C3	GRADING AND DRAINAGE PLAN
C4	CROSS SECTION PLAN
C5	EROSION CONTROL PLAN
C6	EROSION CONTROL SIGNAGE DETAILS

### DEVELOPER'S STATEMENT

THE PREPARED AND SUBMITTED GRADING AND DRAINAGE PLAN IS TO BE APPROVED BY THE CITY OF PASO ROBLES, CALIFORNIA. THE DEVELOPER HAS AGREED TO THE EROSION AND SEDIMENTATION CONTROL PLAN FOR THIS PROJECT AS A SEWERAGE.

### ENGINEER'S STATEMENT

THIS PLAN HAS BEEN EXAMINED AND ENGINEERED TO MEET THE CONDITIONS OF THE CITY ADOPTED ORDINANCES LISTED. THE DEVELOPER HAS AGREED TO THE EROSION AND SEDIMENTATION CONTROL PLAN FOR THIS PROJECT AS A SEWERAGE.

**EMK & ASSOCIATES, INC.**  
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 (800) 238-4427

**GRADING AND DRAINAGE PLAN  
 PROJECT INFORMATION AND  
 SITE PLAN**

SCALE: 1"=10'  
 SHEET NO. C.1  
 SHEET TOTAL 6  
 DATE: 12/03/08  
 DRAWN BY: JCF  
 CHECKED BY: JCF  
 REVISIONS: 01  
 REVISIONS: 02  
 REVISIONS: 03  
 REVISIONS: 04  
 REVISIONS: 05  
 REVISIONS: 06

APPROVED FOR THE CITY OF PASO ROBLES, CALIFORNIA  
 FRANK CLAYTON  
 LICENSE NO. 14064  
 DATE: 12/03/08

PROJ. NO.: 08-011



# H. Highway 46 East (1/2)

## H. Highway 46 East

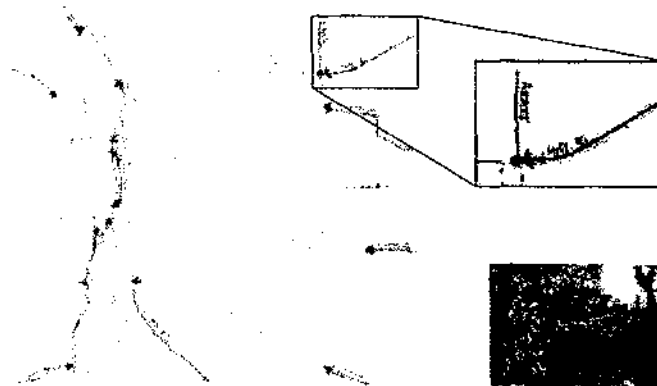
### Background

This is the easternmost gateway into Paso Robles. This roadway is under Caltrans' jurisdiction, with a right-of-way varying between 150 and 170 feet. The highway (or country road) is lined with vineyards and a beautiful natural landscape, and in certain stretches native vegetation is also present. The transition from countryside to townscape is subtle, in terms of both time and distance: views are very long, with elevated vistas, and physical change is very slow.

### Design Recommendations

Future development could quickly change the character of this major gateway from the east. The success of this Gateway is dependent on the clarity of the passage from a rural setting to an urban setting. The nature of suburban development is that it blurs this edge. Mainly, there is a need to keep new suburban development from encroaching into the "Rural Corridor," the area prominently visible from the highway. Landscaping improvements along the corridor, as it transitions from country to town, should have a unifying effect, and also screen/soften adjacent uses.

1. The intersection of Highway 46 and 101 is a potential location for a sculptural element to highlight the Purple Belt nature of the area, similar to what has been done in the wine country north of San Francisco.
2. Work with Caltrans to develop policies and criteria for the establishment of a Rural Corridor viewshed easement which adheres to the design standards set out for T2 Country Thoroughfare (p. 33).
3. Prepare standards for site planning along Highway 46, encouraging development of rurally detailed



Location Key of Highway 46 East

frontage roads, or parking areas detailed as such, along the highway edge so that new buildings front toward the highway, rather than turning their backs on it. Frontage roads should be separated from the main highway by rows of large street trees.

4. Develop standards for individual development projects through the PD process on a case-by-case basis along the highway, with a priority on storefronts and building-mounted signage facing the highway, simple rural roof forms, careful screening of roof-mounted equipment and loading and storage areas, and standards for rustic colors and natural materials. These standards should apply to the Chandler Ranch Specific Plan area abutting Highway 46.
5. Amend the zoning standards for properties adjacent to or visible from the highway to prohibit mini-storage facilities, loading areas, large parking lots and other unsightly service areas visible from the highway.



Maintain rural character of viewshed.



Example of landscaping screening roadside development.



Plant vegetation and trees native to Paso Robles region.



Example of landscaping softening roadside edge.



Limit prominent roadside signage to well-designed signs that reflect the rural character of Paso Robles.



February 27, 2009

To: City of Paso Robles  
Paso Robles City Council  
John Faulkenstein

From: Paso Robles Blvd. property owners  
Frank Clayton  
Tom Erskine  
Brett Butterfield

Re: Paso Robles Blvd. Road Rebuild

Dear John,

As the only three property owners on Paso Robles Blvd, None of us feel the need for a complete buildout of Paso Robles Blvd. in front of the Clayton Property at this time. We would like to propose the following plan instead;

- Mr Clayton will maintain road entire length of property from this day on patching all potholes throughout entire truck traffic, and road will be left better than present after proposed fill.
- Ravine Waterpark will maintain remainder of road patching all potholes as needed.
- All three property owners realize that road build-out will be required at time of project ~~application~~ <sup>approval</sup>.

• Gate may be installed on road just past Mr Clayton road.

Please feel free to contact us should you have any questions or concerns,

Thank You,

Frank Clayton



Brett Butterfield



Tom Erskine

