

RESOLUTION NO: 11-022

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES APPROVING
PLANNED DEVELOPMENT 11-005
LOT 9-14 OF TRACT 2778-2 (WISTERIA LANE)
(JUSTIN VINEYARD & WINERY, INC.)
APN: 025-435-017**

WHEREAS, Planned Development 11-005 has been submitted by Pults & Associates on behalf of Justin Vineyard & Winery, Inc., requesting to construct a ±86,000 square foot wine production and barrel storage facility; and

WHEREAS, the project is located at the east end for Wisteria Lane, adjacent to the existing Justin facility located at 2368 Wisteria Lane; and

WHEREAS, Section 21.23B.030(5a), of the Zoning Code require constructing buildings that total over 10,000 square feet go through the development plan (PD) review process; and

WHEREAS, based on the low parking demands for the winery project, the applicants are requesting that the Planning Commission allow deferring the installation of 51 parking spaces, thereby installing 36 spaces with the development of the project; and

WHEREAS, with the previous Justin project (PD 08-006) the Planning Commission allowed the use of a one space per 5000 square foot (similar to the ratio required for mini-storage) based on winery production and storage buildings having a low employee demand and not needing the same amount of parking that a typical manufacturing/light-industrial building would need; and

WHEREAS, according to Section 21.22.050 of the Zoning Code empowers the Planning Commission to determine what constitutes a similar use in terms of traffic generating for uses not specifically mentioned (i.e. wineries) in Section 21.22.040; and

WHEREAS, a public hearing was conducted by the Planning Commission on April 27, 2010, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed development plan; and

WHEREAS, a resolution was adopted by the Planning Commission approved a Negative Declaration status for this project, and a Negative Declaration was prepared for the proposed Planned Development application in accordance with the California Environmental Quality Act; and

WHEREAS, based upon 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.
8. That acknowledging a winery requires less staff than does the average manufacturing use, the Planning Commission would allow the winery to be built with the initial 36 parking spaces with the deferral of 51 parking spaces (while retaining space for the total of 87 spaces).

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby Planned Development 11-005, subject to the following condition:

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:

EXHIBIT	DESCRIPTION
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A	Standard Conditions
B	Title Sheet
C	Overall Site Plan
D	Enlarged Site Plan
E	Preliminary Grading & Drainage
F	Preliminary Utility
G	Landscape Plan
H	Floor Plan
I	Enlarged Admin. Floor Plan
J	Exterior Elevations

3. This PD 11-005 allows for development of a ±86,000 square foot winery/storage building with ancillary parking and landscaping. The project would be in two phases with Phase I would consist of the construction of 66,000 square feet and Phase II consisting of the construction of the 20,000 square foot future barrel storage addition.
4. Prior to issuance of a building permit, the applicant shall record a Constructive Notice against the property that would notify existing and future property owners that if and when it is determined by the Community Development Director that additional parking spaces are needed for the existing use, or if a new more parking intensive use occupies the building, that additional parking spaces be constructed as shown on the Site Plan (Exhibit C), or as required by the Parking Ordinance for the site specific use.
5. Prior to the issuance of a building permit for the main building the following final details shall be submitted for Planning Division Staff 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; Note: Landscape plan is subject to the requirements within the LS Ordinance.
 - e. Fencing Plan (if any fencing)
6. The sprinkler backflow valve shall be located in an underground vault or adequately screened from public view on Wisteria Lane with architectural features and 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. Low impact development best management practices shall be incorporated into the project grading plans and shall meet the Interim Design Guidance criteria on file with the City Engineer.
9. The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project.

10. Prior to occupancy, Wisteria Lane shall be extended to the east boundary of the project in accordance with plans approved by the City Engineer. The plans shall include provisions for turn-around of emergency services vehicles.
11. A 10-inch water main shall be extended in Wisteria Lane. Two sources of water must be provided in accordance with the conditions of approval of Phase II of Tract 2778.
12. An 8-inch sewer main shall be extended in Wisteria Lane in accordance with plans for Phase II of Tract 2778.
13. 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 <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.**

14. The following is a mitigation measure related to Kit Fox habitat identified within the Mitigated Negative Declaration prepared for this project:

BR-2 Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City Planning Division. The retained biologist shall perform the following monitoring activities:

- a. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, diking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site- disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- c. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

In addition, the qualified biologist shall implement the following measures:

1. **Within 30 days prior to initiation of site disturbance and/or construction**, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:

- a) Potential kit fox den: 50 feet
- b) Known or active kit fox den: 100 feet
- c) Kit fox pupping den: 150 feet

2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.

3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

BR-3 **Prior to issuance of grading and/or construction permits**, the applicant shall clearly delineate as a note on the project plans, that: *“Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox”*. Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction**,

In addition, **prior to permit issuance and initiation of any ground disturbing activities**, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

BR-4 **During the site disturbance and/or construction phase**, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.

BR-5 **Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

BR-6 **During the site-disturbance and/or construction phase**, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet

in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

BR-7 During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.

BR-8 During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

BR-9 Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

BR-10 During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.

BR-11 Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
- b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Contact Information

California Department of Fish and Game
Central Coast Region
P.O. Box 47
Yountville, CA 94599
(805) 528-8670

U.S. Fish and Wildlife Service
Ventura Field Office
2493 Portola Road, Suite B
Ventura, CA 93003
(805) 644-1766

PASSED AND ADOPTED THIS 27th day of September 2011 by the following roll call vote:

AYES: Treach, Holstine, Garcia, Peterson, Vanderlip, Barth, Gregory

NOES: None

ABSENT: None

ABSTAIN: None

STEVE GREGORY, CHAIRMAN

ATTEST:

ED GALLAGHER, PLANNING COMMISSION SECRETARY

PASSED AND ADOPTED THIS 27th day of September 2011 by the following roll call vote:

AYES: Trectch, Holstine, Garcia, Peterson, Vanderlip, Barth, Gregory

NOES: None

ABSENT: None

ABSTAIN: None



STEVE GREGORY, CHAIRMAN

ATTEST:



ED GALLAGHER, PLANNING COMMISSION SECRETARY

EXHIBIT A OF RESOLUTION
CITY OF EL PASO DE ROBLES
STANDARD DEVELOPMENT CONDITIONS

Planned Development _____ Conditional Use Permit _____
 Tentative Parcel Map _____ Tentative Tract Map _____
Approval Body: Planning Commission _____ Date of Approval: Sept. 27, 2011 _____
Applicant: Justin Winery _____ Location: East end of Wisteria Lane _____
APN: 025-435-017 _____

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 – PD/CUP:

- 1. This project approval shall expire on Sept. 27, 2013 unless a time extension request is filed with the Community Development Department, or a State mandated automatic time extension is applied prior to expiration.
- 2. 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.
- 3. To the extent allowable by law, Owner agrees to hold City harmless from costs and expenses, including attorney's fees, incurred by City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal court challenging the City's actions with respect to the project. Owner understands and acknowledges that City is under no obligation to defend any legal actions challenging the City's actions with respect to the project.

(Adopted by Planning Commission Resolution 09-028)

- 4. Any site specific condition imposed by the Planning Commission in approving this project **(Conditional Use Permit)** 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. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.
- 6. 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.
- 7. 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.
- 8. Prior to the issuance of a Building Permit a landscape and irrigation plan consistent with the Landscape and Irrigation Ordinance, shall be submitted for City review and approval. The plan needs to be designed in a manner that utilizes drought tolerant plants, trees and ground covers and minimizes, if not eliminates the use of turf. The irrigation plan shall utilize drip irrigation and limit the use of spray irrigation. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 9. A reciprocal parking and access easement and agreement for site access, parking, and maintenance of all project entrances, parking areas, landscaping, hardscape, common open space, areas and site lighting standards and fixtures, shall be recorded prior to or in conjunction with the Final Map. Said easement and agreement shall apply to all properties, and be referenced in the site Covenants, Conditions and Restrictions (CC&Rs).
- 10. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
- 11. For commercial, industrial, office or multi-family projects, all refuse enclosures are required to provide adequate space for recycling bins. The enclosure shall be architecturally compatible with the primary building. Gates shall be view obscuring and constructed of durable materials. Check with Paso Robles Waste Disposal to determine the adequate size of enclosure based on the number and size of containers to be stored in the enclosure.

(Adopted by Planning Commission Resolution 09-028)

- 12. For commercial, industrial, office or multi-family projects, 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.
- 13. 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.
- 14. 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.
- 15. 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.
- 16. 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.
- 17. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No.835 N.S., Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to removal.
- 18. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
- 19. Prior to recordation of the map or prior to occupancy of a project, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- 20. 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.

(Adopted by Planning Commission Resolution 09-028)

- 21. 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:

B. GENERAL CONDITIONS – TRACT/PARCEL MAP:

- 1. In accordance with Government Section 66474.9, the subdivider shall defend, indemnify and hold harmless the City, or its agent, officers and employees, from any claim, action or proceeding brought within the time period provided for in Government Code section 66499.37, against the City, or its agents, officers, or employees, to attack, set aside, void, annul the City's approval of this subdivision. The City will promptly notify subdivider of any such claim or action and will cooperate fully in the defense thereof.
- 2. The Covenants, Conditions, and Restrictions (CC&Rs) and/or Articles Affecting Real Property Interests are subject to the review and approval of the Community Development Department, the Public Works Department and/or the City Attorney. They shall be recorded concurrently with the Final Map or prior to the issuance of building permits, whichever occurs first. A recorded copy shall be provided to the affected City Departments.
- 3. The owner shall petition to annex residential Tract (or Parcel Map)_____ into the City of Paso Robles Community Facilities District No. 2005-1 for the purposes of mitigation of impacts on the City's Police and Emergency Services Departments.
- 4. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.
- 5. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

ENGINEERING DIVISION- The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:

All conditions marked are applicable to the above referenced project for the phase indicated.

C. PRIOR TO ANY PLAN CHECK:

- 1. The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.

D. PRIOR TO ISSUANCE OF A GRADING PERMIT:

- 1. Prior to approval of a grading plan, the developer shall apply through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application.
- 2. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to its removal.
- 3. A complete grading and drainage plan shall be prepared for the project by a registered civil engineer and subject to approval by the City Engineer. The project shall conform to the City's Storm Water Discharge Ordinance.
- 4. A Preliminary Soils and/or Geology Report providing technical specifications for grading of the site shall be prepared by a Geotechnical Engineer.
- 5. A Storm Water Pollution Prevention Plan per the State General Permit for Storm Water Discharges Associated with Construction Activity shall be provided for any site that disturbs greater than or equal to one acre, including projects that are less than one acre that are part of a larger plan of development or sale that would disturb more than one acre.

E. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

- 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.

(Adopted by Planning Commission Resolution 09-028)

- 2. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility.
- 3. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Streets Division Supervisor and the Community Development Department.
- 4. In a special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM) the owner shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor or civil engineer licensed in the State of California.

F. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR RECORDATION OF THE FINAL MAP:

The Planning Commission has made a finding that the fulfillment of the construction requirements listed below are a necessary prerequisite to the orderly development of the surrounding area.

- 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services.
- 2. All public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
- 3. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:
Wisteria Lane

Street Name	City Standard	Standard Drawing No.
- 4. If, at the time of approval of the final map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act.

 Bonds required and the amount shall be as follows:
 Performance Bond.....100% of improvement costs.
 Labor and Materials Bond.....50% of performance bond.
- 5. If the existing City street adjacent to the frontage of the project is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall excavate the entire structural section and replace it with a standard half-width street plus a 12' wide travel lane and 8' wide graded shoulder adequate to provide for two-way traffic.
- 6. If the existing pavement and structural section of the City street adjacent to the

(Adopted by Planning Commission Resolution 09-028)

frontage of the project is adequate, the applicant shall provide a new structural section from the proposed curb to the edge of pavement and shall overlay the existing paving to centerline for a smooth transition.

- 7. Due to the number of utility trenches required for this project, the City Council adopted Pavement Management Program requires a pavement overlay on _____ along the frontage of the project.
- 8. The applicant shall install all utilities. Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project.
- 9. 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.
- 10. 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/open space landscaping;
 - c. Wall maintenance in conjunction with landscaping;
 - d. Graffiti abatement;
 - e. Maintenance of open space areas.
- 11. For a building with a Special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM), the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a lands surveyor or civil engineer licensed in the State of California.
- 12. All final property corners shall be installed.
- 13. All areas of the project shall be protected against erosion by hydro seeding or landscaping.
- 14. 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.

(Adopted by Planning Commission Resolution 09-028)

- 15. Clear blackline mylars and paper prints of record drawings, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. An electronic autocad drawing file registered to the California State Plane – Zone 5 / NAD83 projected coordinate system, units in survey feet, shall be provided.

PASO ROBLES DEPARTMENT OF EMERGENCY SERVICES- The applicant shall contact the Department of Emergency Services, (805) 227-7560, for compliance with the following conditions:

G. GENERAL CONDITIONS

- 1. Prior to the start of construction:
 - Plans shall be reviewed, approved and permits issued by Emergency Services for underground fire lines.
 - Applicant shall provide documentation to Emergency Services that required fire flows can be provided to meet project demands.
 - Fire hydrants shall be installed and operative to current, adopted edition of the California Fire Code.
 - A based access road sufficient to support the department’s fire apparatus (HS-20 truck loading) shall be constructed and maintained for the duration of the construction phase of the project.
 - Access road shall be at least twenty (20) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance.

- 2. Provide central station monitored fire sprinkler system for all residential, commercial and industrial buildings that require fire sprinklers in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.
 - Plans shall be reviewed, approved and permits issued by Emergency Services for the installation of fire sprinkler systems.

- 3. Provide central station monitored fire alarm system for all residential, commercial and industrial buildings that require fire alarm system in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.

- 4. If required by the Fire Chief, provide on the address side of the building if applicable:
 - Fire alarm annunciator panel in weatherproof case.
 - Knox box key entry box or system.
 - Fire department connection to fire sprinkler system.

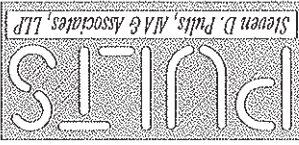
(Adopted by Planning Commission Resolution 09-028)

5. Provide temporary turn-around to current City Engineering Standard for phased construction streets that exceed 150 feet in length.
6. Project shall comply with all requirements in current, adopted edition of California Fire Code and Paso Robles Municipal Code.
7. Prior to the issuance of Certificate of Occupancy:
 - Final inspections shall be completed on all underground fire lines, fire sprinkler systems, fire alarm systems and chemical hood fire suppression systems.
 - Final inspections shall be completed on all buildings.

(Adopted by Planning Commission Resolution 09-028)

JUSTIN WINERY 3

PASO ROBLES, CA



Steven D. Pults, M.A.G. Associates, LLP
 2155 Rock Drive, Suite 200
 San Jose, California 95131
 408.261.1477, 408.261.1478
 www.pulits.com

JUSTIN WINERY
 3

TRACT 279-3
 LOTS 6, 10, 11, 13, 14
 JUSTIN WINERY
 PASO ROBLES
 CA 94368

Client
 JUSTIN WINERY
 VINEYARD
 2885 CHAVEY ROCK ROAD
 PASO ROBLES
 CA 94368
 (562) 206-8922
Scale 1"=40'



Date 22 AUG 11
Drawn JRM
Check JRM
 1112
Scale

T - 1

PROJECT SUMMARY	
LEGAL:	TRACT 279-3 BEING INDUSTRIAL AS REGARDED IN PARAGRAPH 3 OF MAPS IN THE OFFICIAL RECORDS OF THE COUNTY OF SAN JOSE AND THE STATE OF CALIFORNIA.
ZONING:	INDUSTRIAL
APN:	025-24-1-025
ACRES:	112.44 ACRES (NET)
ADJACENT:	TO THE NORTH, AN UNRESERVED LOT; TO THE SOUTH, A TRACT OF 10.00 ACRES; TO THE EAST, A TRACT OF 15.00 ACRES; TO THE WEST, A TRACT OF 17.50 ACRES.
BUILDING:	RENOVATION AND CONSTRUCTION OF WINE TASTING ROOM, STORAGE, WINE CELLAR, BARREL MASH, BARREL ROOM, AND WINE PRESS.
PREPARED BY:	MAG ASSOCIATES, L.P.
DATE:	8/22/11

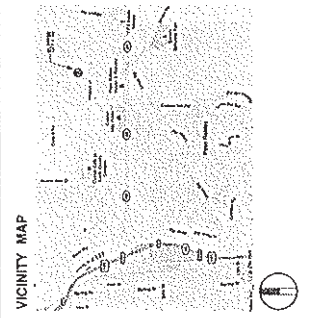
SHEET INDEX	
T-1	TITLE SHEET
001	OVERALL SITE PLAN
002	LANDSCAPE PLAN
003	PRELIMINARY GRADING/IRrigATION PLAN
004	PRELIMINARY UTILITIES PLAN
005	LANDSCAPE PLAN
006	ARCHITECTURAL
007	FLOOR PLAN
008	EXTERIOR ELEVATIONS
TOTAL - 8 SHEETS	

PROJECT SUMMARY	
LEGAL:	TRACT 279-3 BEING INDUSTRIAL AS REGARDED IN PARAGRAPH 3 OF MAPS IN THE OFFICIAL RECORDS OF THE COUNTY OF SAN JOSE AND THE STATE OF CALIFORNIA.
ZONING:	INDUSTRIAL
APN:	025-24-1-025
ACRES:	112.44 ACRES (NET)
ADJACENT:	TO THE NORTH, AN UNRESERVED LOT; TO THE SOUTH, A TRACT OF 10.00 ACRES; TO THE EAST, A TRACT OF 15.00 ACRES; TO THE WEST, A TRACT OF 17.50 ACRES.
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PREPARED BY:	MAG ASSOCIATES, L.P.
DATE:	8/22/11

Paso Robles
 AUG 20 2011
 Planning Division



- SYMBOLS**
- 1 DIMENSIONAL GRID LINE
 - 2 DOOR MARK REFER TO DOOR SCHEDULE
 - 3 WINDOW MARK REFER TO WINDOW SCHEDULE
 - 4 WINDOW ABOVE REFER TO WINDOW SCHEDULE
 - 5 REFERENCE NOTE
 - 6 DETAIL NUMBER
 - 7 SHEET SHOWN ON SECTION
 - 8 SHEET SHOWN ON SECTION

Exhibit B
 Title Sheet
 PD 11-005
 (Justin Winery & Vineyard)

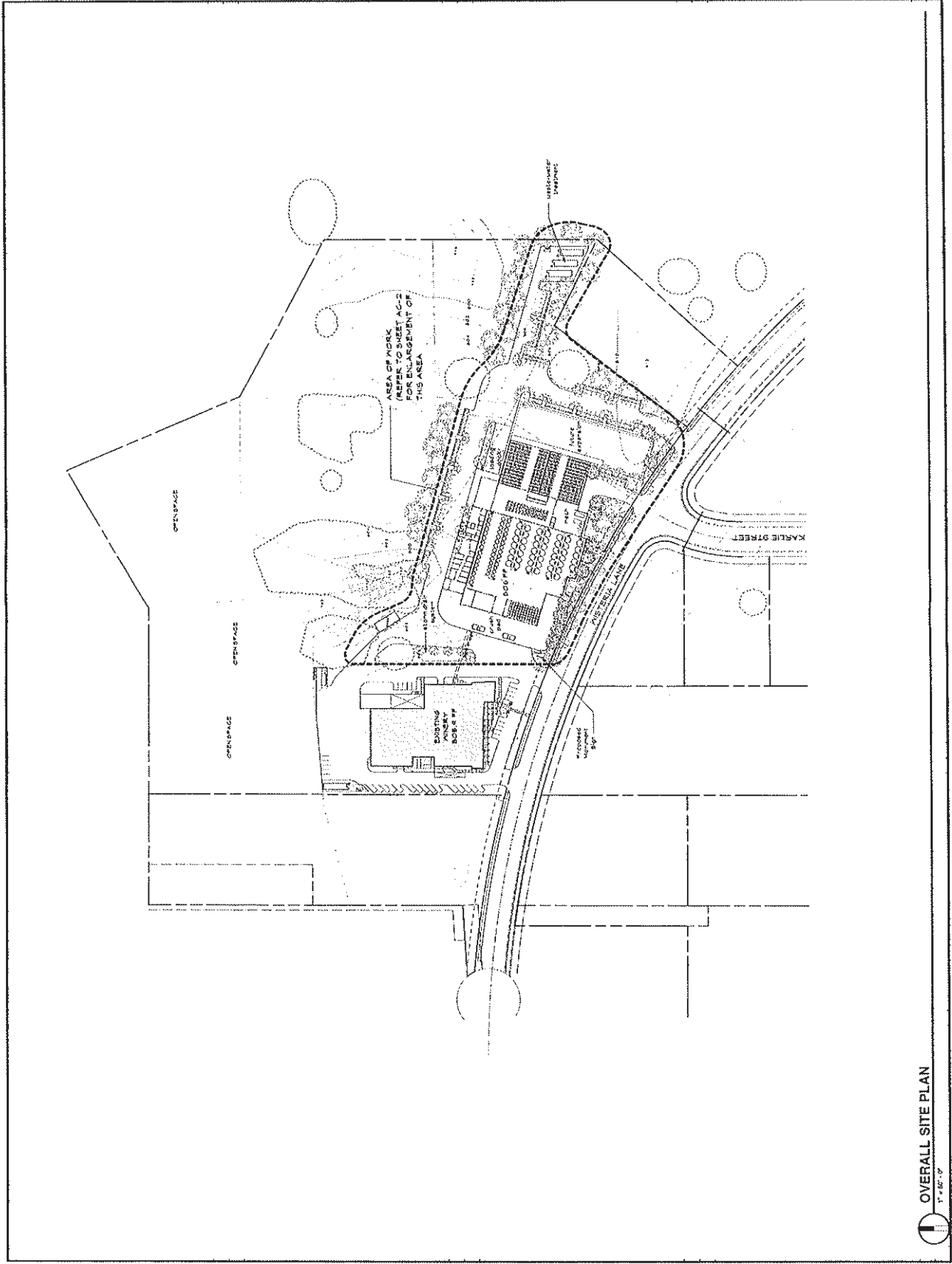


Exhibit C
 Overall Site Plan
 PD 11-005
 (Justin Winery & Vineyard)

JUSTIN WINERY
 3

TRACT 2782
 LOTS 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14
 PASO ROBLES
 CA 92366

JUSTIN WINERY & VINEYARD

2285 DRIVE WEST, SUITE 105
 PASADENA, CA 91106
 (626) 799-1234

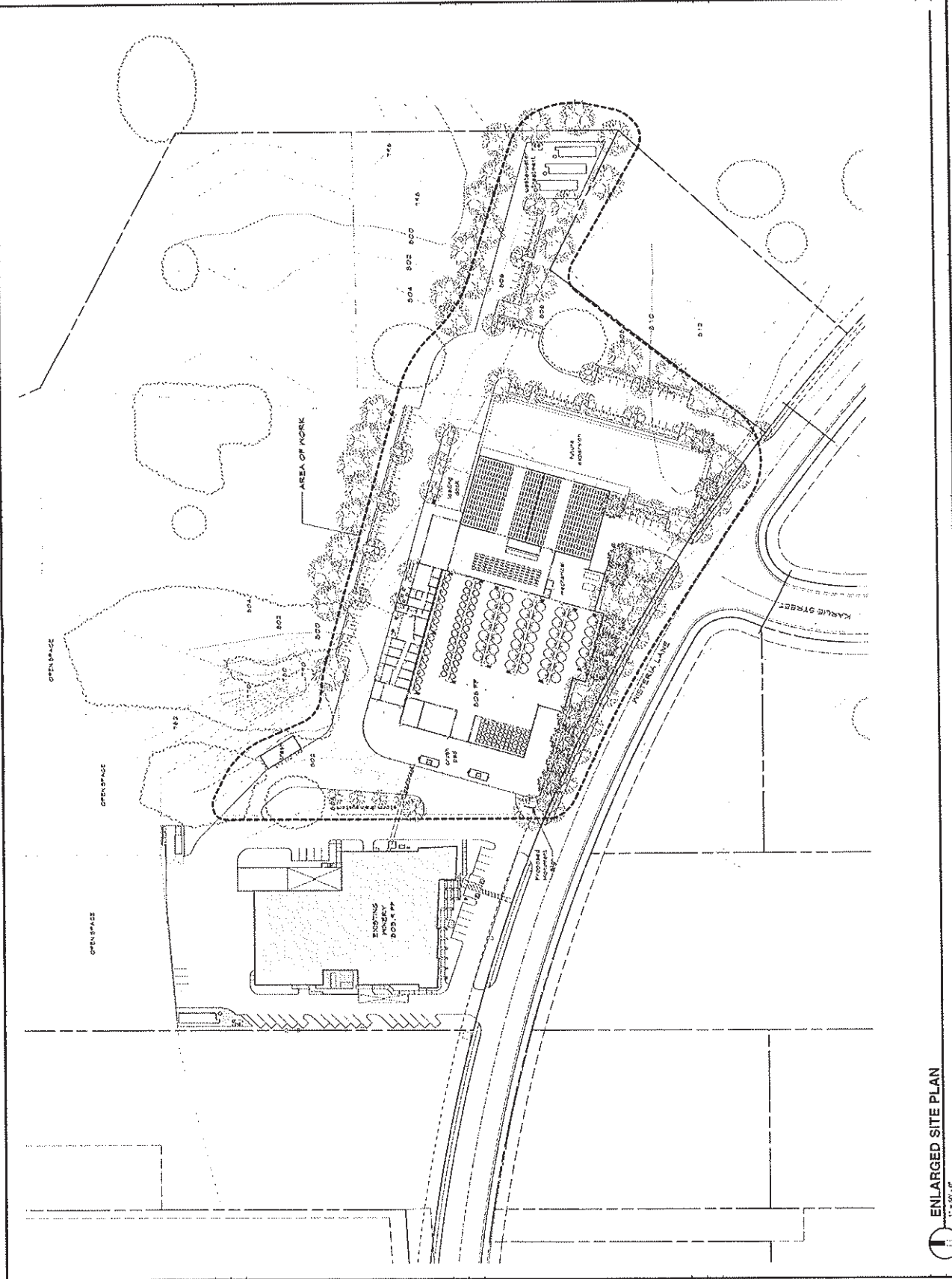
ENLARGED SITE PLAN

DATE: 22 AUG 11
 DRAWN: JDP



DATE: 22 AUG 11
 DRAWN: JDP
 SHEET: 1112

AC-2



ENLARGED SITE PLAN
 1" = 30' ±

Exhibit D
 Enlarged Site Plan
 PD 11-005
 (Justin Winery & Vineyard)

REFERENCE KEYNOTES

SYMBOL	DESCRIPTION
(1)	CONCRETE HEAD WALL
(2)	STORM FLOW/ROOF WATER
(3)	STORM FLOW (FRESH)
(4)	DIKE POOL SHAN
(5)	CONCRETE CROSS CUTTER
(6)	CONCRETE CURB & GUTTER
(7)	CONCRETE CURB
(8)	ASPHALT CONCRETE

EARTHWORK
 1. PRELIMINARY
 2. 10%
 3. 5%
 4. 10%
 5. 10%
 6. 10%
 7. 10%
 8. 10%
 9. 10%
 10. 10%



Architectural, Planning & Consulting
 1400 West 10th Street, Suite 100
 Fort Lauderdale, Florida 33304
 Telephone: (954) 574-1100
 Fax: (954) 574-1101
 E-mail: steven@pulte.com

JUSTIN WINERY
 3

10000 JUSTIN WINE
 LOT 10000 JUSTIN WINE
 PASEO ROBLES
 PASO ROBLES
 CA 94065

COPY

JUSTIN WINERY
 &
 VINEYARD

22533 CHURNEY ROCK ROAD
 PASO ROBLES
 CA 94065
 800.226.1932

JWV (Owner)

PRELIMINARY
 GRADING
 AND DRAINAGE



22 AUG 11

1112

1112

C-1

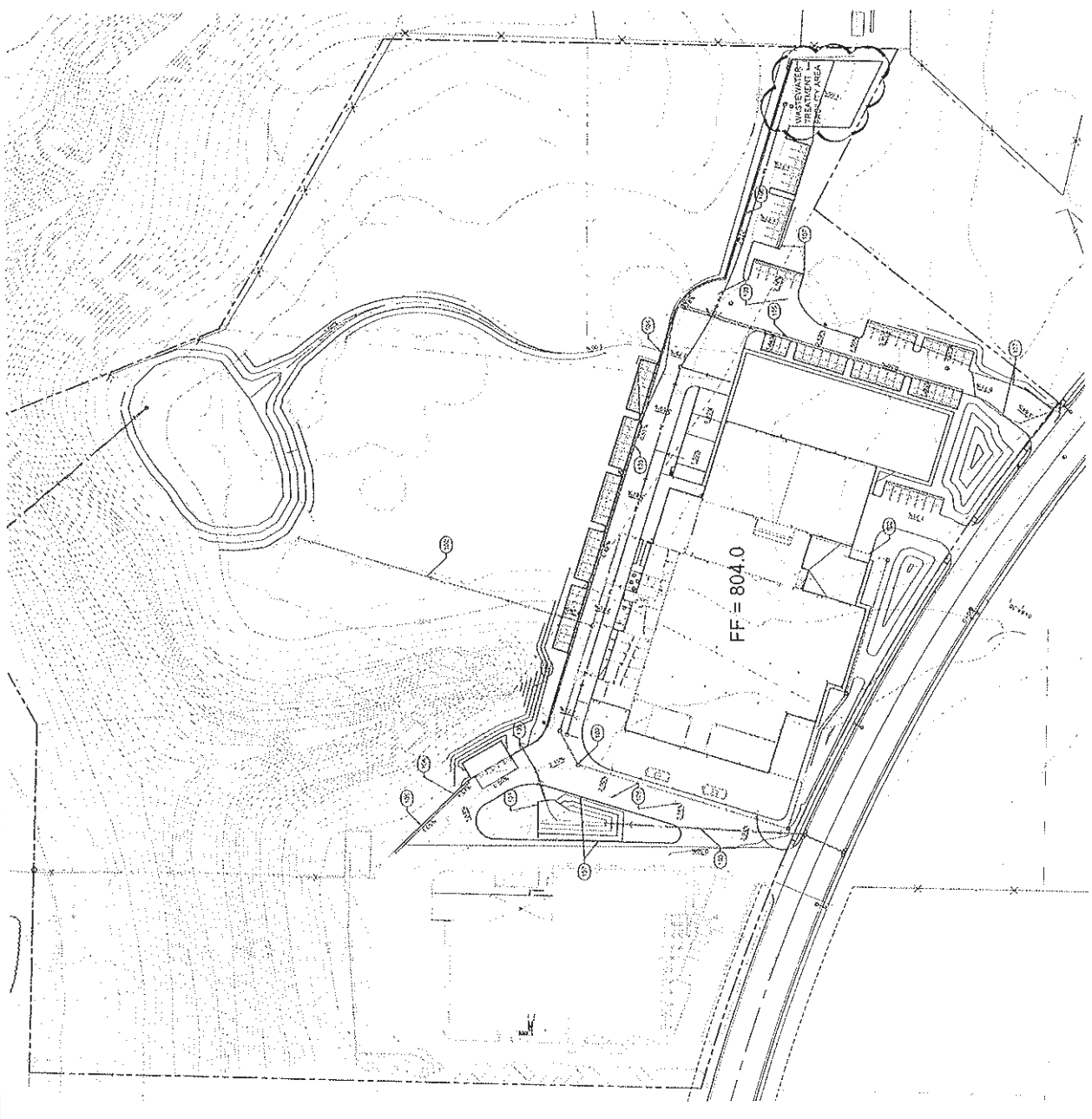


Exhibit E
 Prelim. Garding & Drainage
 PD 11-005
 (Justin Winery & Vineyard)

KEYNOTE	DESCRIPTION
001	STORM DRAIN MANHOLE
002	STORM DRAIN (BOST WATER)
003	5" CONCRETE SILENT STREET
004	4" CONCRETE SILENT STREET
005	4" CONCRETE SILENT STREET
006	4" CONCRETE SILENT STREET
007	4" CONCRETE SILENT STREET
008	4" CONCRETE SILENT STREET
009	4" CONCRETE SILENT STREET
010	4" CONCRETE SILENT STREET
011	4" CONCRETE SILENT STREET
012	4" CONCRETE SILENT STREET
013	4" CONCRETE SILENT STREET
014	4" CONCRETE SILENT STREET
015	4" CONCRETE SILENT STREET
016	4" CONCRETE SILENT STREET
017	4" CONCRETE SILENT STREET
018	4" CONCRETE SILENT STREET
019	4" CONCRETE SILENT STREET
020	4" CONCRETE SILENT STREET

Steven D. Pults, A/E & Associates, LLP
 12210 Wilshire Blvd., Suite 200
 Los Angeles, California 90025
 (310) 944-8888
 www.stevendpults.com

JUSTIN WINERY
 3
 TRACT 27142
 LOT 218
 11980 STATE ST
 PASO ROBLES
 CA 94601

JUSTIN WINERY
 VINEYARD
 22525 CHIMNEY ROCK ROAD
 SUITE 200
 CALISTO, CA 94402
 (925) 238-6832
 PRELIMINARY
 UTILITY
 DATE: 25 AUG 11



SCALE: 1" = 100'
 SHEET NO.: 1112
 PROJECT NO.: PD 11-005
 TITLE: PRELIMINARY UTILITY PLAN
 DATE: 25 AUG 11
 PROJECT LOCATION: JUSTIN WINERY VINEYARD
 SHEET NO.: C-2

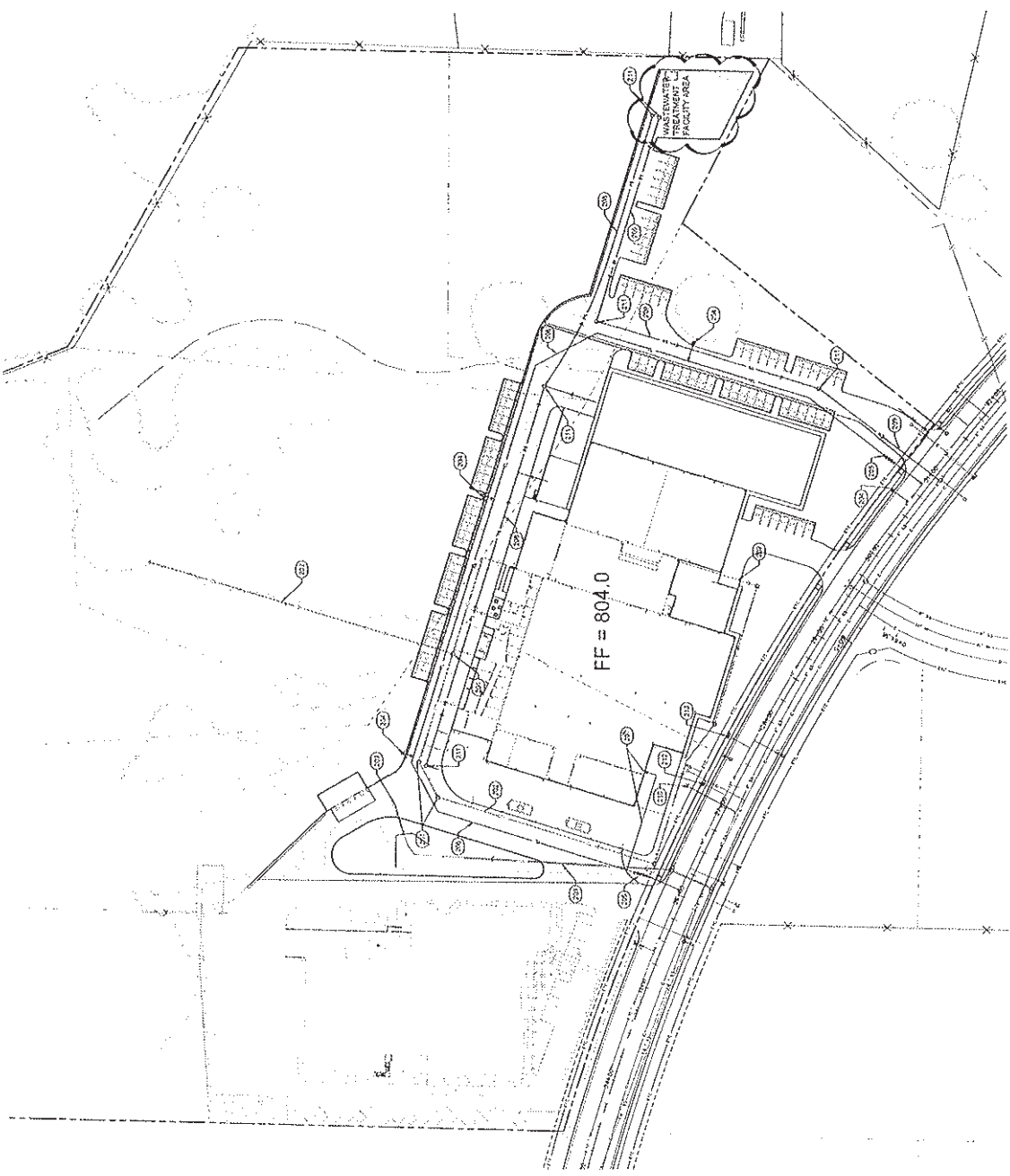
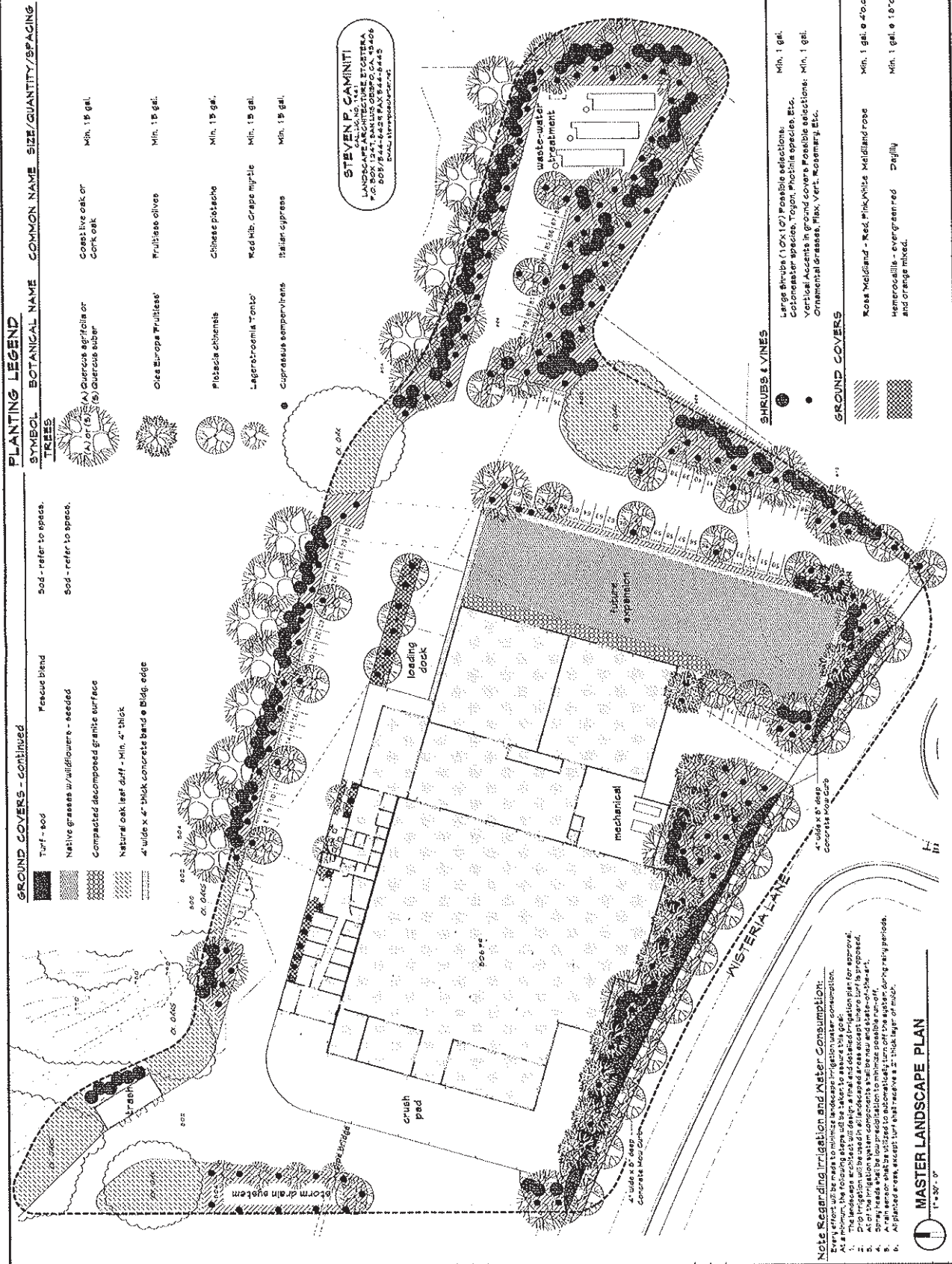


Exhibit F
 Preliminary Utility Plan
 PD 11-005
 (Justin Winery & Vineyard)



PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY	SPACING
(A) or (B)	Quercus agrifolia or Quercus alba	Coast live oak or Cork oak	Min. 1 1/2 gal.		
(C)	Olea Europaea	Fruitless olive	Min. 1 1/2 gal.		
(D)	Pistacia chinensis	Chinese pistache	Min. 1 1/2 gal.		
(E)	Lagerstroemia 'onto'	Red Hib. Grape myrtle	Min. 1 1/2 gal.		
(F)	Cupressus sempervirens	Italian cypress	Min. 1 1/2 gal.		

GROUND COVERS - continued

(G)	Turf - sod	Fescue blend	Sod - refer to specs.
(H)	Native grasses w/ wildflowers - seeded		Sod - refer to specs.
(I)	Compacted decomposed granite surface		
(J)	Natural oak leaf duff - Min. 4" thick		
(K)	4" wide x 4" thick concrete band @ Bldg. edge		

SHRUBS & VINES

(L)	Large shrubs (10x10) possible selections.	Min. 1 gal.
(M)	Columnar species, Topon, photinia species, etc.	Min. 1 gal.
(N)	Vertical Accents in ground covers possible selections.	Min. 1 gal.
(O)	Ornamental grasses, Max. Vert. Rosemary, etc.	Min. 1 gal. @ 4' o.c.
(P)	Roses Medisand - Red, Pink, White, Maidland roses	Min. 1 gal. @ 10' o.c.
(Q)	Hemiprocalle - evergreen red and orange mixed.	Min. 1 gal. @ 10' o.c.

GROUND COVERS

(R)	Large shrubs (10x10) possible selections.	Min. 1 gal.
(S)	Columnar species, Topon, photinia species, etc.	Min. 1 gal.
(T)	Vertical Accents in ground covers possible selections.	Min. 1 gal.
(U)	Ornamental grasses, Max. Vert. Rosemary, etc.	Min. 1 gal. @ 4' o.c.
(V)	Roses Medisand - Red, Pink, White, Maidland roses	Min. 1 gal. @ 10' o.c.
(W)	Hemiprocalle - evergreen red and orange mixed.	Min. 1 gal. @ 10' o.c.

Note Regarding Irrigation and Water Consumption:
 Every effort will be made to minimize water consumption.
 1. The landscape architect will submit a final and detailed irrigation plan for approval.
 2. Drip irrigation will be used in all landscaped areas except where turf is proposed.
 3. All trees and shrubs shall be installed with a minimum of 2" thick layer of mulch.
 4. All trees and shrubs shall be installed with a minimum of 2" thick layer of mulch.
 5. All trees and shrubs shall be installed with a minimum of 2" thick layer of mulch.
 6. All trees and shrubs shall be installed with a minimum of 2" thick layer of mulch.

MASTER LANDSCAPE PLAN
 1" = 50' - 0"

Exhibit G
 Landscape Plan
 PD 11-005
 (Justin Winery & Vineyard)

Project:
 JUSTIN WINERY
 3

Client:
 JUSTIN WINERY
 VINEYARD

Site:
 TRACT 2782
 LOMA BLVD. 21.116
 PALO ALTO, CA 94303
 (800) 232-8332

Scale:
 FLOOR PLAN
 1/8" = 1'-0"



Date: 22 AUG 11
Sheet: 1112
Scale: 1/8" = 1'-0"

A-1

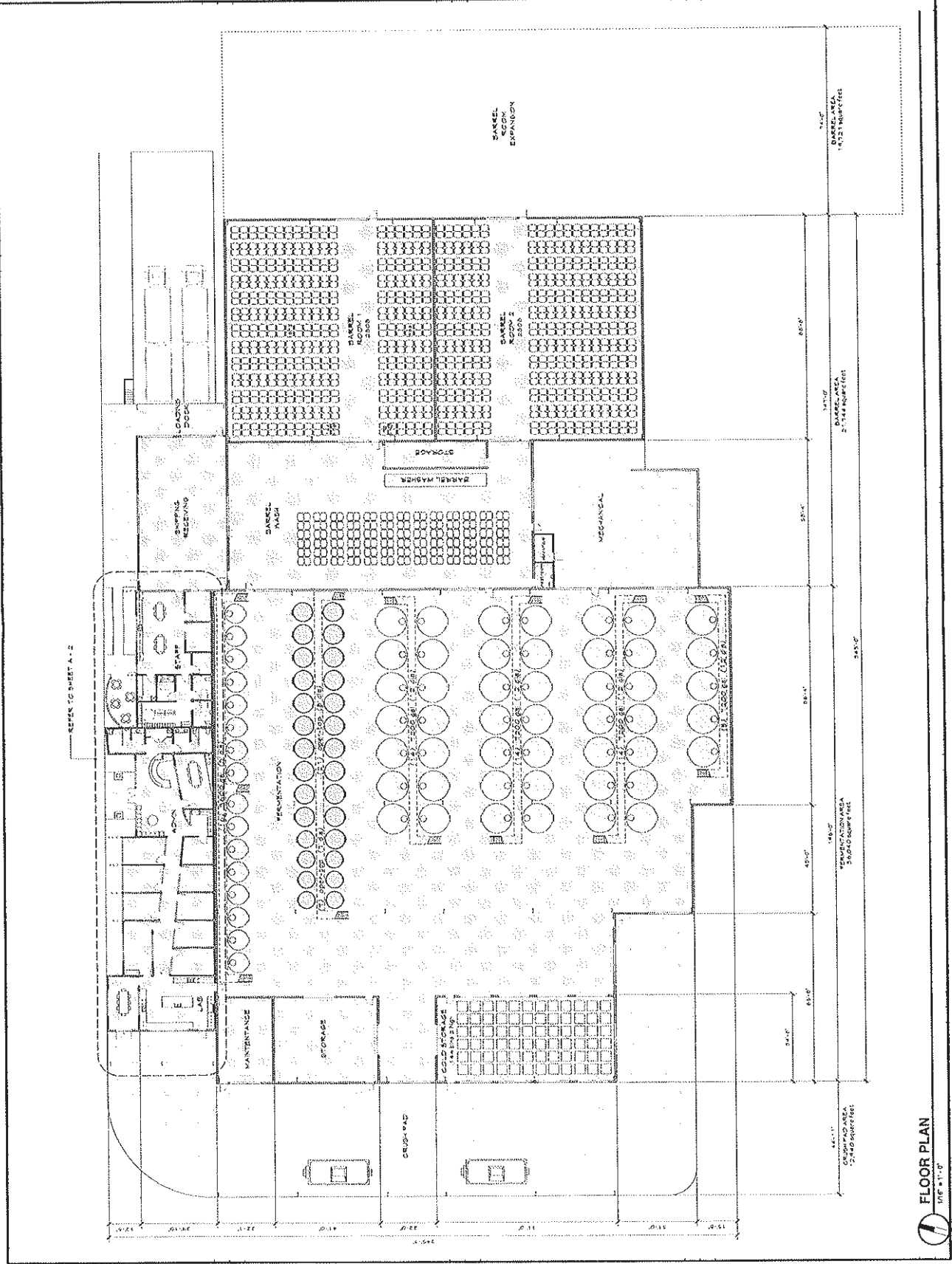


Exhibit H
 Floor Plan
 PD 11-005
 (Justin Winery & Vineyard)

JUSTIN WINERY
 3

TRISTEE
 LOTS 11, 12, 13, 14
 2245 CHIMNEY ROCK ROAD
 P.O. BOX 5
 WOOD BRIDGE
 GA 30462

Client:
JUSTIN WINERY
 VINEYARD

2245 CHIMNEY ROCK ROAD
 P.O. BOX 5
 WOOD BRIDGE
 GA 30462

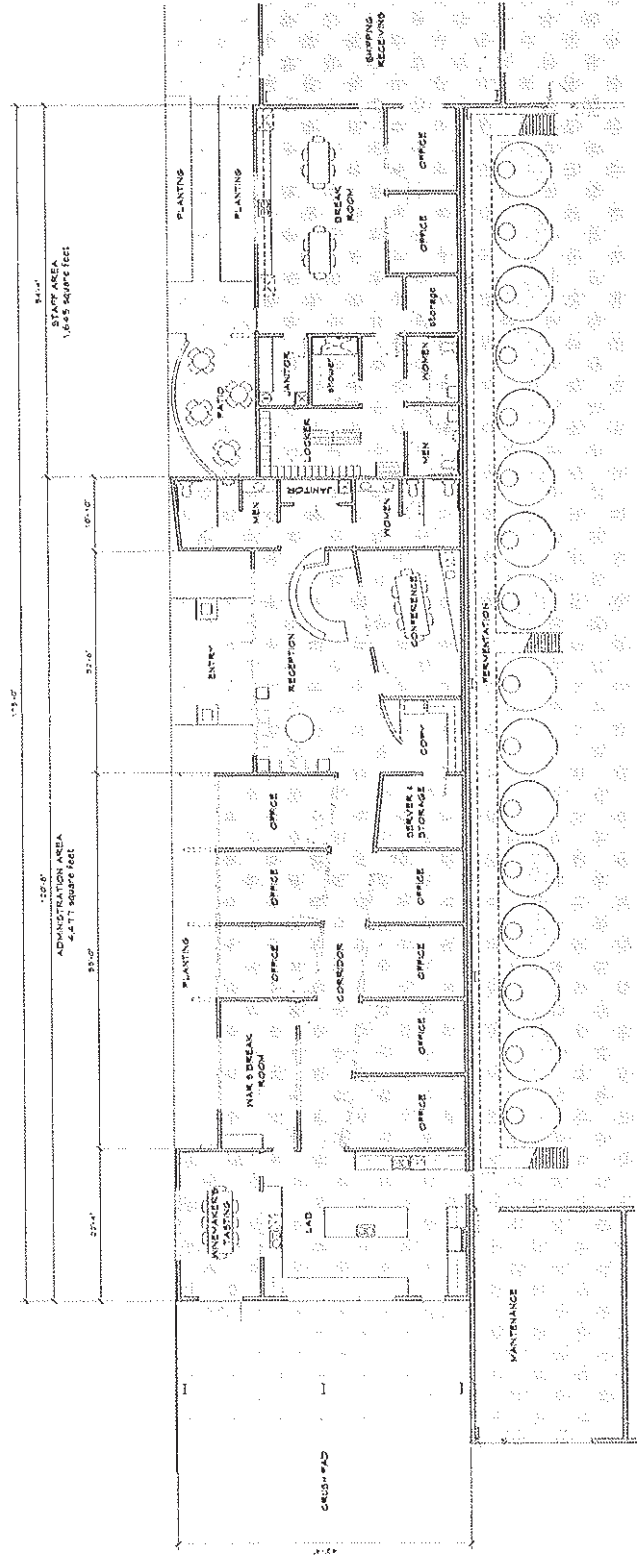
Architect:
STEVEN D. PULLS, AIA & ASSOCIATES
 FLOOR PLAN



Date: 22 AUG 11
 Printed:

Scale: 1/8" = 1'-0"

A-2



ENLARGED ADMINISTRATION FLOOR PLAN
 1/8" = 1'-0"

Exhibit I
Admin. Floor Plan
PD 11-005
(Justin Winery & Vineyard)

