RESOLUTION NO:93-10
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
APPROVING PLANNED DEVELOPMENT 91010
(HALFERTY DEVELOPMENT COMPANY - WOODLAND PLAZA II)
APN: 09-761-34

WHEREAS, Halferty Development Company has filed an application to construct an approximate 425,000 square foot commercial center in three development phases located on the southwest corner of Niblick and South River Roads, and

WHEREAS, an Environmental Impact Report (EIR) was prepared for this project and a Final EIR was certified for the project in accordance with the California Environmental Quality Act (CEQA) by the Planning Commission on August 25, 1992 via Resolution 92-049, and

WHEREAS, the Planning Commission's action to certify the Final EIR was appealed, and

WHEREAS, on October 6, 1992 the City Council considered the appeal and after a public hearing adopted Resolution 92-163 denying the appeal and certifying the adequacy of the Final EIR for the Woodland Plaza II project, and

WHEREAS, public hearings were conducted by the Planning Commission on July 14, 1992, August 25, 1992, September 22, 1992, October 27, 1992, November 10, 1992, December 9, 1992 and December 22, 1992 to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this development project, and

WHEREAS, on December 22, 1992, the Planning Commission adopted resolution 92-072 establishing environmental findings and statements of overriding considerations regarding this project and its potential impacts, and

WHEREAS, on December 22, 1992, the Planning Commission adopted resolution 92-073 approving Planned Development 91010 subject to development conditions, and

WHEREAS, On December 24, 1992 and later on January 6, 1993, separate appeals were filed of the Planning Commission's action to approve Planned Development 91010, and

WHEREAS, a public hearing was conducted by the City Council on January 19, 1993 to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this project and the appeal of the Planned Development application for the project;
WHEREAS, based upon the facts and analysis presented in the staff reports, public testimony received and subject to the conditions of approval listed below, the City Council makes the following findings:

1. The design and intensity of the proposed development plan is consistent with the following:
   
   (a) The goals and policies established by the General Plan;
   
   (b) The policies and development standards established by any applicable specific plan;
   
   (c) The Zoning Code, particularly the purpose and intent of the Regional Commercial zoning district in which this development project is to be located;
   
   (d) All other adopted codes, policies, standards, and plans of the City;

2. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons 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 (based on the adopted statements of overriding considerations);

3. 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;

4. 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 environmental and social/economic impacts (based on the adopted statements of overriding considerations);

5. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, stream courses, oak trees, vistas, historic buildings and structures;

6. The proposed development plan contributes to the orderly development of the City as a whole;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso De Robles does hereby approve an amendment to Planned Development 91010 subject to the following conditions of this resolution:
CONDITIONS TO BE IN COMPLIANCE AT ALL TIMES:

1. This Planned Development authorizes the construction of an approximate 425,000 square foot commercial center to be constructed in three development phases.

2. The applicant shall construct the project in substantial conformance with the site plan, grading plan, landscaping plans, phasing plan, building elevations, sign plans, and colors and materials attached as Exhibits listed below and as may be modified by conditions of project approval:

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* Copy is on file in the Community Development Department.

3. Any amendments or revisions to the approved development plans shall be subject to review by the respective entity identified in the project conditions for final approval of that aspect of the plan, and a determination of substantial compliance must be made by that respective entity. Those changes determined by the respective approving entity to be beyond the scope of the parameters of any condition or exhibit shall be subject to recommendations of the approving entity to the next level of review as follows:

a. City staff  
b. Development Review Committee  
c. Planning Commission  
d. City Council
STANDARD CONDITIONS (TO BE COMPLETED PRIOR TO OCCUPANCY UNLESS OTHERWISE NOTED WITHIN A CONDITION):

NOTE: All standard conditions shall apply unless superseded by a site specific condition.

PUBLIC WORKS DEPARTMENT:

1. All improvement plans shall be prepared by a registered civil engineer and shall be submitted to the City Engineer for approval. The improvements shall be designed and placed to City of Paso Robles Standards and Specifications. (PW)

2. A Preliminary Soils Report shall be prepared for the property to determine the presence of expansive soils or other soils problems and shall make recommendations regarding grading of the proposed site. 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. (PW)

3. The applicant shall submit a composite utility plan signed by a representative of each public utility, together with the improvement plans. (PW)

4. The applicant shall install all utilities (sewer, water, gas, electricity, cable TV, and telephone) underground. Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the subdivision shall be relocated underground, unless the Planning Commission and the City Council determine such undergrounding is not economically feasible. (PW)

5. Water meters must be installed at the developer’s expense. (PW)

6. All utilities shall be extended to the boundaries of the project, unless the City Engineer determines that no need for future extension exists. (PW)

7. All sewer mains and manholes not within the street or paved area shall be within an easement and accessible by an all-weather road. (PW)

8. 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 televised inspection with a copy of the video tape provided to the City. (PW)
9. Building permits for combustible construction 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. (FD)

10. Each phase shall provide two sources of water and two points of access, unless the City Engineer and Fire Chief determines this not to be feasible. (FD)

11. All underground construction shall be completed by the applicant and approved by the City and the public utility companies, and the subgrade shall be scarified and compacted before paving the streets. Applicant is responsible for all utility relocations needed for project development. (PW)

12. Any cost reimbursement for oversizing and extensions of water and sewer mains shall be included in an agreement prior to any work undertaken. (PW)

13. The 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 shown on the approved plan/map exhibits 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. (PW)

14. 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 full half-width street plus a 12 foot wide travel lane and 8 foot graded shoulder adequate to provide for two-way traffic. (PW)

15. If the development includes a phased street construction along the tract boundary for future completion by the adjacent property owner, the applicant shall provide a half-width street plus a 12 foot travel lane and 4 foot graded shoulder adequate for two-way traffic unless otherwise conditioned. (PW)

16. 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 placed to centerline and the remaining pavement shall be overlaid unless otherwise conditioned. (PW)

17. Any utility trenching in existing streets shall be overlaid to restore a smooth riding surface as required by the City Engineer. Boring and jacking instead of trenching may be
required on newly constructed or heavily traveled City streets. (PW)

18. A complete grading and drainage plan by a civil engineer shall be included with the improvement plans. Drainage calculations shall be submitted, with provisions made for on-site retention if adequate disposal facilities are not available. (PW)

19. The proposed structures and project grading shall not encroach into the 100-year floodway as specified in Municipal Code Chapter 21.14 "Flood Damage Prevention Regulations". (PW)

20. 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 by hydroseeding or landscaping. (PW)

21. Any grading during the rainy season will require the approval of a construction zone drainage and erosion control plan to prevent damage to adjacent property. (PW)

22. No buildings will be occupied until all public improvements, for the particular phase of which the building is a part, have been completed and approved by the City Engineer, and accepted by the City Council for maintenance. (PW)

23. The applicant shall plant approved street trees throughout the project within the easement provided. Trees shall be planted at intervals established in site specific conditions along the arterial streets. (PW)

24. The applicant shall install landscaping along arterials as approved by the City. (CD)

25. 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. (PW)

26. The applicant shall install all street name, traffic signs and traffic striping as required by the City Engineer. (PW)

27. When retaining walls are shown on the grading plan, all such 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. (PW/CD)

COMMUNITY DEVELOPMENT DEPARTMENT:

28. Prior to issuance of building permits, the Planning Commission shall approve detailed plans for the following items (unless otherwise noted in a site specific condition of approval):
a. Elevations of all structures including materials, color and architectural treatment;
b. Landscaping plan including street trees and irrigation systems;
c. Wall and fencing locations, height and materials;
d. HVAC screening methods;
e. Outdoor lighting and method of shielding;
f. Trash enclosures and electrical transformer locations and details;
g. Parking and circulation. (CD)
h. Landscaped medians
i. Bikeway plans
j. Riparian Area landscaping
k. Location and service treatment of vending machines

29. The applicant shall provide a 6 inch curb around landscaping adjacent to or within parking lots. (CD)

FIRE DEPARTMENT

30. Fire hydrants, both off-site and on-site, shall be installed as required by the Fire Chief. (F)

31. All open space areas that are to be dedicated to the City will be inspected by the Fire Department prior to acceptance and a report will be submitted recommending action needed regarding debris and weed removal, tree trimming and brush removal. (F)

SITE SPECIFIC CONDITIONS TO BE COMPLETED PRIOR TO OCCUPANCY OF RESPECTIVE PHASES:

32. The full southern project boundary shall be treated with installation of an eight (8) foot high decorative masonry wall combined with a continuous 30 foot deep landscaped area to include 10 feet of flat area at the same grade as the adjacent residential property to the south and the remainder of the planter area to slope down to grade at the back of the center. The wall and landscaping may be constructed in conjunction with the respective phase it is adjacent to. Additionally, there shall be allowance for occasional retaining wall "pop outs" to accommodate transformer and junction boxes for utility service to the rear of buildings. (CD)

33. Trash enclosure(s) shall be relocated away from the southern property boundary, adjacent to buildings. (CD)

34. Freestanding light fixtures to illuminate the southern project area shall be located within the buffer area adjacent to the southern property boundary (as shown in Figure 6 of the Land Use Section of the EIR), are not to exceed 14 feet in height, are to be oriented towards the commercial buildings, and are
to be equipped with full cut-off shielded luminaries to contain glare.

Building mounted light fixture shall not be placed higher than 10 feet on any commercial building and shall only be placed at doorways. Fixtures must be equipped with shields to direct light downwards rather than outward. An Electrical Engineer shall certify the illumination ratio of 4:1 on the final construction plans prior to issuance of building permits. (CD)

35. The lighting fixtures may be as high as 42 feet in height, constructed in accordance with the lighting details attached as Exhibit I with the purpose and intent of totally containing the glare of the lighting on site so as not to negatively impact public rights of way or adjacent private property. The City shall have the ability to require additional screening methods as necessary or an alternative pole height to achieve the stated intent.

36. Where it is possible to further lower building pad elevations without jeopardizing acceptable circulation design (including slope of driveways), such a change shall be incorporated into the final grading and drainage site design. On-site grading shall conform to the archeological mitigations in the EIR (on a phased basis) and all engineered grading standards. (CD)

37. The architectural building heights shall be limited to 25 feet, including parapet to screen mechanical equipment, with the ability to incorporate periodic taller architectural elements within the facade for aesthetic variety. (CD)

38. All on-site and off-site recommendations from the traffic portion of the EIR shall be reviewed and a revised site plan developed. The site plan shall be submitted to staff for review and approval prior to any other submittals or review materials being presented to the city. The final site plan as approved by the City shall be required to be established prior to other project processing. (PW/CD)

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY FOR ANY PORTION OF THIS PROJECT THE APPLICANT SHALL:

39. Submit improvement drawings by a registered civil engineer and obtain approval by the City Engineer for all on-site and off-site improvements. Right of way dedications shall be made as required by the City Engineer. (PW)

40. Construct improvements on Niblick and S. River roads in conformance with the EIR traffic recommendations and as approved by the City Engineer, including but not limited to full transition medians on South River Road. Improvements will include median reconstruction, pavement widening, installation
of curb, gutter and sidewalk, medians, bikeways, pavement marking and traffic signal modifications with Phase 1. The west side of River road shall be improved to full city arterial standards adjacent to the site. The east side shall be improved with a median island, a 12 foot wide driving lane with 4 foot paved shoulder and 4 foot wide based shoulder. (PW)

41. Construct street improvements on Niblick road east of South River road to accommodate full city arterial street standards on both sides of the street with Phase 1. Improvements to extend from South River road east to match existing improvements near Quarterhorse Lane. Landscape median completion within the Niblick Road right of way near South River Road is to be included in street improvements (this shall include median landscaping and street tree installation behind the sidewalk). (PW)

42. Prior to occupancy of units of phase II, the applicant construct Caltrans metal beam guardrail along the riverbank side of River road and provide for shoulder widening where feasible on the east side of the road from Creston Road to Navajo Road. A 2 inch asphalt overlay with manufactured paving fabric from Tract 1417 to Creston Road shall be installed. (PW)

43. Submit plans and install a traffic signal at Creston Road and South River road as approved by the City Engineer with Phase one. (PW)

44. Provide a contribution to the widening of the Niblick bridge in the amount and of a phasing structure to be determined by the City Council. (PW)

45. Submit plans for and install a traffic signal at South River road and the project driveway or at the future east west street, prior to certificate of occupancy for Phase III or as determined by the City Engineer. (PW)

46. The applicant shall, prior to issuance of building permits for phase one construction, submit and obtain approval by DRC and the City Engineer of an engineered master bikeway plan which contains the following:

a) A combination bike and pedestrian pathway along the western project boundary as shown in Figure 3 of the Land Use Compatibility section of the EIR. The pathway shall be designed so as to connect with the planned alignment of the Riverbank pathway and provide for a future connection with the pedestrian/bike crossing lanes on the Niblick Bridge, along with internal connection to the center. This pathway is to be constructed no later than with phase three development.
b) A 10 foot wide combination bike and pedestrian pathway along both the Niblick and South River Road frontages. This pathway shall be designed to meander within the 10 feet of right of way located behind curb face and the 25 foot private landscaped buffer. A minimum 5 foot landscaped Parkway should be maintained between curb face and pathway wherever possible. Appropriate easements shall be granted to accommodate the pathway on private property, or alternatively, the applicant may dedicate additional right of way to the City with guarantee of landscape maintenance in that area. These improvements shall be constructed in conjunction with project phase street frontage.

c) Bike rack locations throughout the center shall be shown, with accommodation for public access at store fronts and transportation shelter, as well as bike racks placed for employee use. (PW/CD)

47. The combination bike and pedestrian pathway as well as the riparian revegetation areas shall be maintained by the project via a Benefit Maintenance District. (PW/CD)

48. The applicant shall submit engineered on-site grading, drainage and erosion control master plan and phased plan drawings for approval by the City Engineer. Calculations shall be provided to verify the sizing of all structures and geometric designs. All mitigation measures of the EIR shall be complied with. The on-site storm water and drainage system for the blueline streams shall be privately maintained, but located within public easements, of which the maintenance agreement shall be in a form and content acceptable to the City Engineer and City Attorney. (PW)

49. The applicant shall be required to prepare a soils report and geotechnical report prior to issuance of any grading and/or building permits in phase I, and comply with recommendations contained within that report in a manner to be approved by the City Engineer and Building Official. Soils and geotechnical reports shall be prepared prior to building permit issuance in subsequent phases as required by the City Engineer and Building Official. (PW/B)

50. The applicant shall record constructive notice to future parcel owners of potential storm water flooding through the parking lot during major storms in a form to be approved by the City Attorney. The applicant shall apply for FEMA map revision of the floodway.

51. The vegetative protection required along the western project boundary for erosion control shall be coordinated with the report and findings of the habitat restoration plan in the
Salinas River area in a manner to be approved by the City Engineer and Community Development Director. (PW/CD)

52. The applicant shall establish a parking lot sweeping program to assure on-going cleaning on a regular basis, as well as thorough cleaning after storms. The program shall concentrate on providing thorough parking lot cleaning prior to the onset of winter rains and shall be performed with high quality equipment operating at a slow rate to maximize the amount of silt collected and the effectiveness of the operation. The hours of sweeping shall be limited by the conditions of CUP 91010. The program contract and specifications shall be subject to approval by the Public Works Department prior to issuance of Certificates of Occupancy for any buildings. (PW)

53. The on-site storm catch basins shall be contracted for thorough cleaning periodically throughout the year but especially prior to the onset of winter rains. This service shall be secured in a contract in a manner to be approved by the Public Works Department prior to issuance of Certificates of Occupancy for any buildings. (PW)

54. During construction, the applicant shall be required to exercise erosion control measures, using such methods as constructing during the dry season (if possible), following dust control practices and directing site runoff into filter berms or settling basins to control silt runoff. The applicant shall incorporate erosion control measures into the grading plans on a phase by phase basis and shall be subject to the review and approval of the Public Works Department. (PW)

55. Prior to issuance of Grading Permits, and if required under the Clean Water Act (CWA), the applicant shall obtain necessary permits in compliance with the requirements of the National Pollutant Discharge Elimination System (NPDES). (PW)

56. All necessary storm water drainage control permits shall be obtained from the responsible agencies. (PW)

57. The project is approved on the premise that all of the oak trees shown (except for two small oaks located in unnamed creek number one) will be retained. Any revision to the plan which would necessitate the removal of oak trees would require securing oak tree removal permits from the City Council. (PW)

58. Development around remaining oaks shall comply with the City’s Oak Tree Preservation Ordinance, and Appendix B of the EIR. (PW)

59. The applicant shall contract with a qualified environmental consultant (such as the Habitat Restoration Group) to prepare
a Habitat Mitigation Plan for the Salinas River area, open space and flood plain, in accordance with U.S. Army Corps of Engineers (COE) Guidelines and State Department of Fish and Game Guidelines. The Habitat Restoration Plan shall be subject to review and approval by the Planning and Engineering staff and other regulatory agencies, and shall be installed in conjunction with phase two development, or grading into the Salinas River flood plain, whichever comes first. (PW/CD)

60. A low, open wire fence (not barbed wire) shall be installed and maintained west of the bikeway along the perimeter of the open space parcel in order to deter off road vehicle and human intrusion into the replanted riparian mitigation area. (CD)

61. The plant species used to revegetate adjacent to the river bank shall be chosen from Appendix B of the EIR (species indigenous to the river to the area) and/or per the approved Habitat Restoration Plan. (CD)

62. The applicant shall participate in the implementation of a future Local Transit System Management Plan in a manner to be determined by the City Council. Such a system may include the introduction of local trolleys and/or shuttle system linking outlying commercial areas with the City's Downtown. (CD)

63. The applicant shall utilize "Best Available Control Technology For Construction" as listed on pages IV-G21 through IV-G27 of the Final EIR. (CD/B)

64. The applicant shall submit a plan to implement the project design mitigation measures listed on pages IV-G28 and IV-G29 (items 1 through 13 which address mitigation of air quality impacts during project operations), in a manner to be approved by the Community Development Department and Public Works Department, prior to issuance of building permits and shall complete implementation of the plan prior to occupancy for each respective phase. (CD/PW)

65. Trash enclosures shall be oversized so as to provide adequate room for a recycling bin/receptacle, in addition to a standard trash receptacle. This shall be done in a manner to be approved by the City Engineer. (PW)

66. Solid Waste requirements shall be analyzed in conjunction with the construction of each phase, and mitigation measures incorporated as established by the County Waste Management Plan update. (PW)

67. Install a 16 inch water line and appurtenances in South River Road from the Niblick intersection to the project south boundary with phase 1. The applicant may request a reimbursement agreement for over sizing of the said line. (PW)
68. Submit engineered on-site water master plan drawings and phased plan drawings for approval by the City Engineer. Each phase shall provide for a looped system as approved by the City Engineer. Water meters shall be provided for each lot with separate landscape meters. Meters shall be placed in City right of way or "grouped" on site as approved by the City Engineer. The on-site system shall be privately maintained and the maintenance agreement shall be reviewed and approved by the city prior to recordation. (PW)

69. Abandon any water wells on site in accordance with County Health regulations. (PW)

70. Submit engineered on-site sewer master plan drawings and phased plan drawings for approval by the City Engineer. Each phase shall provide for gravity or pump design as required. The on-site sewer system shall be privately maintained and the maintenance agreement shall be reviewed and approved by the city prior to recordation. (PW)

71. Fees shall be paid to the city for connection to certain special lines which have reimbursement agreements. These fees will by paid at time of building permit. (PW)

72. The applicant shall comply with the mitigation measures relating to construction noise impacts listed on phased IV-H17 and IV-H18 in a manner to be approved by the Building Division and the Public Works Department. The Public Works Department shall be permitted to approve a start up time variance from 8:00 a.m. consistent with prevailing construction practice in the community. (PW/B)

73. The eight (8) foot high decorative masonry wall shall be constructed along the full length of the southern property boundary in conjunction with the public improvements for the respective phase to which the wall is adjacent, or the applicant may option to construct the full wall with phase one. (CD)

74. All lighting within this project (building and pole mounted) shall be designed so as to be shielded from creating off site glare. (CD)

75. A five (5) foot high decorative masonry wall shall be installed prior to occupancy of Phase III, along the western boundary of the project as indicated in Figure 3 of the EIR. (CD)

76. Landscaping, bike path and graded slope treatment along the western property boundary shall be constructed and installed, prior to Phase III, as indicated on Figure 3 of the Land Use Section of the EIR, to achieve a softer transition at the
project boundary. Where permissible and supportable by the hydrology study, the applicant shall reduce the slope gradients from 2:1 to a minimum of 5:1 ratio to allow for more successful visual screening through revegetation with native and riparian plant species. Oak trees shall be among the species chosen. The property line shall be placed at the toe of the slope with appropriate corresponding open space and access easements.

In the event that the result of the applicant contracted studies regarding restoration of riparian habitat is to recommend alternative and/or additional planting or grading treatments, these shall be incorporated into the final project design as determined by the Community Development and Public Works Departments. (CD/PW)

77. No mechanical equipment shall extend beyond the exterior parapet line, unless alternative screen walls and/or other methods of screening are approved by the Planning staff. Roof mounted equipment shall be held to a minimum, with combination of parapet screening and mechanical equipment painted to match roof surface. Roof surface color to be neutral and soft in tone (avoid unnatural colors). (CD)

78. The slope area within the Niblick Road right of way at the northwest corner of project site is to be planted with irrigated landscaping. The applicant shall submit a detail planting and irrigation plan for this area in conjunction with other improvement details to be approved by the Development Review Committee (DRC) and City Engineer. Said landscaping shall be installed at the time that grading and development occurs on this section of the site and shall be maintained by the property owners via the Benefit Maintenance District. (PW/CD)

79. Consistent with requirements for revegetation/restoration of riparian habitat, the applicant shall be required to landscape within the Salinas River area as part of phase two development. This would not require improvement of the bike/pedestrian path and wall until Phase three, but would require planting of trees and shrubs with the intent of their early establishment before the commencement of phase three development. (CD/PW)

80. No signs shall be located on the southern elevation of any building. Signs located on the west facing elevations shall be limited to anchor tenants A and C only, with details being subject to review and approval by the Development Review Committee (DRC). (CD)
81. All rain gutters shall be installed internally either inside of the walls of buildings or inside structural columns, connecting to under-sidewalk drains (where applicable) then directed to appropriate drainage facilities. (CD/B)

82. Final Building Elevations for each phase shall be reviewed and approved by the Planning Commission prior to issuance of building permits for each respective phase, and shall comply with the following design criteria:

Phase One:

a) All exposed wall elevations shall utilize split face block in its masonry construction. The stucco (plaster) detailing shown on the southern elevation can be deferred until the construction of the building expansion, but the fluted split face detailing shall be utilized at the top of the building in conjunction with the split face block. The remainder of the elevations shall utilize a combination of split face block construction, plaster, fluted split face block, and exposed rafter tail detailing as shown on the elevation exhibits (and as modified by this condition).

b) The applicant may propose an alternative to the heavy wood rafter tails, such as colored/formed fiberglass, but the end result shall closely match the look of natural stained wood which is to be used throughout the remainder of the center. In the event an acceptable alternative material cannot be found, the applicant shall install heavy wood rafter tails consistent with the remainder of the center.

c) A raised (30-inch high maximum) landscape planter area on either side of the main entrance shall be installed, with planters to be constructed of split face block material. The irrigation and landscaping plan details for these planters shall be reviewed and approved by the DRC prior to issuance of building permits.

d) Details such as the clay tile, wooden exposed rafter tails, and the stucco and block color scheme shall comply with the remainder of the proposed center per a color board to be approved by the Development Review Committee.

Phase Two

e) Materials shall be as indicated on the elevation exhibits (combination of plaster, split face block, clay tile roof, exposed wooden rafters/outriggers, and contrasting canvas awnings).
f) Arbor/trellis and planter areas shall be constructed of matching materials to the remainder of the center and shall include suitable irrigated landscaping, bench areas, trash receptacles and lighting to make these areas functional to the public as seating/rest areas.

g) The outdoor display area for Tenant D shall utilize the column and wrought iron fencing detail as shown on Elevation exhibits.

h) The raised landscape planters shown on the building elevations shall be incorporated into the site and landscaping plan and shall be installed at the time of building construction. The irrigation and landscaping plan details for these planters shall be reviewed and approved prior to issuance of building permits.

Phase Three

i) Rear (west facing) elevations shall be carefully reviewed for appropriateness of architectural detailing as it relates to the visual impact from Highway 101 and especially the Niblick Bridge. The DRC may require additional architectural detailing, and/or substantial landscaping treatment along the west property boundary to enhance the west building elevations.

j) Loading areas shall be hidden through the use of split face block constructed screen walls. (CD)

83. All exposed man-doors and trash enclosure doors shall be painted to compliment the plaster colors used within the center per the DRC. (CD)

84. The applicant shall submit for phases one and two, an interim circulation plan indicating truck routes and vehicle movement patterns for that respective phase. The interim circulation plan shall be subject to approval by the Fire and Public Works Department, and shall be installed with the respective on-site improvements for any said phase. All interim roads shall be paved. (PW/F/CD)

85. The site plan may be modified to reduce parking stall numbers for the purpose of meeting required mitigation measures relating to circulation, landscaping and screening. The final site plan shall reflect the adequate number of parking stalls to meet City Parking Standards. (CD)

86. The pedestrian connections shown between Niblick Road and Shops "G" and South River Road and Tenant A, shall be constructed of a decorative material compatible with
decorative hardscape details utilized within the open plaza areas. (CD)

87. The applicant shall construct a transit shelter in conjunction with other phase one improvements in a location and traffic related design acceptable to the City Engineer, and architectural design consistent with the City’s standard detail for transit shelters. (PW/CD)

88. Prior to issuance of building permits for each phase, the applicant shall submit a detailed landscape and irrigation plan of the respective phase for review and approval by the City’s Development Review Committee (DRC). The plans shall incorporate mitigation measures outlined in the EIR and contained in the resolutions of approval for this project. (CD)

89. All on-site perimeter landscaping adjacent to Niblick and South River Roads shall be installed prior to issuance of certificates of occupancy for any building in the respective phase for which that landscaping fronts. All landscaping adjacent to Niblick Road (associated with the slopes for the construction of Niblick Road) shall be installed in conjunction with phase one improvements. All interior landscaping within any respective phase shall be installed prior to issuance of certificates of occupancy for that respective phase. (CD)

90. A solid screen of large, tall growing shrubs shall be planted along South River Road to screen the loading areas adjacent to Major Tenant A, as shown in Figure 8 of the EIR. (CD)

91. All other perimeter areas adjacent to streets shall include trees to be planted at a minimum of 25 foot uniform intervals with a three foot high earth berm to be incorporated where grade permits. Turf (lawn) area shall be reduced in its usage to accentuate project entries on Niblick and South River Roads, but not as a main planting element. (CD)

92. Interior landscape planters (surrounded by a 6-inch concrete curb) shall be installed within the parking aisle areas to break up the asphalt at a minimum of one planter every fifty (50) feet. These planters shall include trees as well as shrub/ground cover with species chosen for durability as well as ability to produce effective shade coverage. No tree species with open/lacy characteristics shall be used as an internal tree. (CD)

93. Planters shall be incorporated as an integral part of final building architecture to allow landscaping both adjacent to building foundations and extending into physical plaza areas.
Where appropriate, multiple level planters shall be introduced for vertical as well as horizontal interest. (CD)

94. Decorative pavement (alternative textures and/or color) shall be used to visually enhance concrete work used in building entrances, breezeways, plazas and crosswalks. The DRC shall review this feature along with other site plan final details. (CD)

95. The development of individual satellite pads shall be subject to review and approval of the Development Review Committee (DRC). The building architecture and use of colors and materials shall be architecturally compatible with the remainder of the center. Four sided architectural detailing shall be utilized. (CD)

96. Each approved satellite pad shall be permitted to apply for an individual monument sign which shall be subject to review and approval by the DRC. (CD)

97. A minimum of one outdoor, shaded plaza area, suitable for employee use, shall be provided within each development phase. These areas can be designed for joint use by employees and general public alike. (CD)

98. All dumpsters to be used by restaurants or for uses which generate a substantial amount of liquid waste, shall be designed so as to properly contain or convey liquid materials into a drainage facility to be approved by the City Engineer so as not to create a visual or odor nuisance. (PW/CD)

99. All required masonry walls shall be constructed of decorative concrete block in a manner to be approved by the Development Review Committee (DRC). The DRC shall determine where it is appropriate to require double sided decorative block (example, where wall is highly visible from more than one side). (CD)

100. All channel signage shall be accommodated within the architecture of the building so as not to have exposed raceways. (CD)

101. All tenant signs shall be in compliance with the master sign program established for the center, with sign permits to be secured through the City prior to sign installation. (CD)

102. Tenant "A" shall be permitted to install its trademark name and identification of the Auto Service use in a manner consistent with the City's sign code. (CD)

103. All open fencing of outdoor display areas shall be required to be constructed of decorative metal material as indicated on the elevation details. (CD)
104. The future expansion area located behind Tenant "A" shall be irrigated and hydroseeded with a turf or plant mixture to be approved by the DRC. Trees shall be planted, even as a temporary measure, to create shade and visual relief at the back of the building, at a minimum ratio of one tree for each 2,000 square feet of expansion area. The expansion area shall be separated from the improved driveway with a minimum of an asphalt curb. (CD)

105. All archaeological mitigation shall be done in conformance with the Cultural Resources Section of the EIR, Appendix K of the California Environmental Quality Act (CEQA) and phase one of the phased mitigation plan attached as exhibit H. The applicant shall submit and implement a detailed archaeological mitigation plan in accordance with Appendix K of CEQA prior to any work taking place which could disturb the known archaeological site. (CD)

106. Prior to issuance of grading permits for any development that would negatively affect the known archaeological site, the applicant shall implement the approved mitigation program for the impacted area in a manner to be approved by the Community Development Director. The mitigation program may be phased in accordance with site development and the degree to which archaeological resources are or are not impacted. (CD)

107. All conditions contained within the resolution granting approval to Conditional Use Permit 91010 and Parcel Map PR 91-095 shall be complied with in a manner acceptable to the City of Paso Robles. (CD)

108. The applicant shall repay to the Redevelopment Agency the full amount of $27,500 (portion of the cost for the environmental study prepared for this project), prior to issuance of building permits for phase one. (CD)

109. This PD is subject to the site having a Regional Commercial zoning designation. A change in zoning would make this approval null and void. (CD)

110. The head in parking located adjacent to the retail shops in phases two and three shall be eliminated on the final site plan.

111. Vending machine locations and details of conduit services to those machines shall be subject to final review by the Planning Commission in conjunction with other final site details.
112. Prior to issuance of a Building Permit for any Phase of the Woodland Plaza II project, adequate securities shall be posted in a form to be approved by the City Attorney and an amount as established by the City Engineer, sufficient to assure construction of those on-site and off-site public improvements to serve that phase of development as determined by the City Engineer.

113. Unless and until an Owner Participation Agreement has been approved and executed between the City of Paso Robles and the property owner of Woodland Plaza Phase II, no Building Permits shall be issued for any parcel other than Parcel No. 3 without the developer first posting securities in a form to be approved by the City Attorney and an amount to be established by the City Engineer, adequate for payment of the proportionate share of cost attributable to providing a third and fourth lane plus pedestrian and bike lanes for the Niblick Bridge.

PASSED AND ADOPTED THIS 19th day of January, 1993 by the following roll call vote:

AYES: Heggarty, Macklin, Martin, Picanco, and Iversen

NOES: None

ABSENT: None

ABSTAIN: None

MAYOR CHRISTIAN E. IVERSEN

RICHARD J. RAMIREZ, CITY CLERK
EXHIBIT B: PRELIMINARY GRADING AND DRAINAGE PLAN

IS ON FILE IN

THE COMMUNITY DEVELOPMENT DEPARTMENT
WOODLAND PLAZA II
SWC NOLICK ROAD AND SOUTH RIVER ROAD
PASO ROBLES, CALIFORNIA

MAJORS-SHOPS EXT. ELEV. - Sht. No. 5

PD 91010 . EXHIBIT D-4
A. INTRODUCTION

The intent of this Sign Criteria is to provide the guidelines necessary to achieve a visually coordinated, balanced and appealing signage environment at the above mentioned project.

Performance of this Sign Criteria shall be rigorously enforced and any nonconforming signs shall be removed by the tenant or his sign contractor at their expense, upon demand by Owner.

Exceptions to these standards shall be reviewed by the Owner and Architect. However, based upon our field experience, deviations will generally result in serious inequities between tenants. Accordingly, the Owner, through the Architect, will retain full rights of review of any sign used in the center.

B. GENERAL OWNER/TENANT REQUIREMENTS

1. Each tenant shall submit to the Architect for written review, five (5) copies of the detailed shop drawings of his proposed sign, (one in full color) indicating conformance with the sign criteria herein outlined, Send to:

   MCG Architects
   200 So. Los Robles Avenue, Suite 300
   Pasadena, California 91101-2483
   (213) 681-8461 or (818) 793-9119

2. The tenant shall submit a sign (Shop) drawing approved by the Owner and/or reviewed by the Architect to the appropriate City authority for approval prior to the start of any sign construction or fabrication.

3. The tenant shall pay for all signs, their installation (including final connection, transformers and all other labor and materials) and maintenance.

4. The tenant shall obtain all necessary permits.
5. The tenant shall be responsible for fulfillment of all requirements of this sign criteria.

6. The Owner shall provide primary electrical service terminations at the center of the allowed signage area as follows:

   Individual Letter: Interior of wall or canopy.

7. It is the responsibility of the tenant's sign company to verify all conduit and transformer locations and service prior to fabrication.

8. The location of all signs shall be per the accompanying design criteria.

9. One "sign space" shall be allowed for each tenant or in-line tenant and multiple "sign spaces" for each major tenant (except as otherwise approved by the Owner in writing). The tenant shall verify his sign location and size with Owner prior to fabrication. When Tenants have more than one frontage, one additional sign will be allowed per the Master Sign Program design standards and/or the City of Paso Robles Sign Ordinance, or as otherwise directed in this document.

10. All shop tenants are required to have a sign band per the accompanying design criteria.

11. Address numbers shall be displayed on the front and rear sides of each tenant space. The characters shall be of a contrasting color to the immediate background, and be placed in a visible location or as otherwise directed by a city authority. Installation shall be by the tenant's sign company during regular course of construction, where applicable.

12. Special signs which vary from this sign criteria must first be approved by the Owner and respective City authority. Tenants are required to adhere to this Master Sign Program, including colors approved by the Owner and City. If a tenant requires a deviation from the approved criteria, he may, upon approval from the Owner, request an approval from the City by a sign permit or a Sign Deviation Permit (Variance).

13. The maximum allocated sign area for the aggregate of all permanent signs (except exempt and convenience signs) shall be as noted herein.

14. NOTE! No sign shall be constructed until approved building permits from City Planning and Building and Safety Departments are received.

C. GENERAL SIGN SPECIFICATIONS

1. No exposed raceway, crossovers, conduits, conductors, transformers, etc., shall be permitted.

2. All lettering shall be restricted to the "net sign area" and have a matte finish. See accompanying design criteria for specific information.
3. No projection above or below the "net sign area" will be permitted (except as otherwise approved in writing by respective City authority).

4. All signs and their installation must comply with all local building and electrical codes and bear a U.L. label placed in an inconspicuous location.

5. For purposes of store identification, tenant will be permitted to place upon each entrance to its demised premises not more than 144 square inches of gold leaf or decal application lettering not to exceed 2 inches in height, indicating hours of business, emergency telephone, etc. The number and letter type shall be subject to Architect's review. (See Door Signage Design Criteria, Page 9).

6. Typical Shop, Internally Illuminated, Individual Letter Sign Specifications:

   a. Tenant shall install his sign as indicated in the enclosed exhibits. Maximum width shall be equal to 60% of the lineal leased frontage and centered horizontally. Letter height shall be 24" maximum, unless tenant's name can not be accommodated at the size, in which instance smaller letters may be approved. Copy shall observe the base line shown in the exhibit.

   b. The face of the individual letters and logos shall be constructed of Rohm & Haas Company acrylic plastic (3/16" thick minimum) and fastened to the individual channelized metal letter via trim cap in an approved manner. All surrounds to match anodized Kawneer Permanodic black #29. (No Channelume or Channel Classic fabrication methods will be accepted).

   c. The "copy" (letter type), logos and their respective colors shall be submitted to the Owner and the City of Paso Robles for written approval prior to fabrication.

   d. An Individual shop logo may be located anywhere within the "net sign area", provided it's height does not exceed the height of the "net sign area". (Not to exceed 10% of total sign area).

   e. No more than two rows of letters are permitted, provided their maximum total height does not exceed the height of the "net sign area".

   f. Tenants shall display only their established trade name of their basic product name, e.g. "John's Jeans", or combination thereof.

   g. Internal illumination to be 60 milli-amp neon installed and labeled in accordance with the "National Board of Fire Underwriters Specifications," National Electric Code (NEC) and approved testing laboratory (i.e. U.L.).

   h. Frontage shall be determined at the entry or that portion of the establishment that abuts on a street or parking lot. Sign area will be measured by circumscribing a rectangle around each individual letter of sign case.

   i. Signs shall be composed of 5" minimum deep metal channel letters with opaque faces and sides of letter can to match anodized Kawneer Permanodic black #29. All aluminum construction method only.
j. Sign content will be limited to the identification of one of the following: (1) the business name of the user; (2) the name or names of the Owner(s) of the business; or (3) a description of the activity of the business. Signs will not generally be allowed to advertise the products sold or prepared or the individual services performed on the premises unless the products or services are an integral part of the identifying name of the business, or unless the City of Paso Robles makes a finding of exceptional circumstances.

D. PROHIBITED SIGNS

1. Signs Constituting a Traffic Hazard:
No person shall install or maintain a cause to be installed or maintained any sign which simulates or imitates in size, color, lettering or design any traffic sign or signal, or which makes use of the words "STOP", "LOOK", "DANGER", or any other words, phrases, symbols, or characters in such a manner to interfere with, mislead or confuse traffic.

2. Immoral or Unlawful Advertising:
It shall be unlawful for any person to exhibit, post or display cause to be exhibited, posted or displayed upon any sign, anything of an obscene, indecent, or immoral nature or unlawful activity.

3. Signs or Doors, Windows or Fire Escapes:
No window signs will be permitted except as noted herein. No sign shall be installed, relocated, or maintained so as to prevent free ingress to or egress from any door. No sign of any kind shall be attached to a stand pipe except those signs as required by code or ordinance.

4. Animated, Audible or Moving Signs:
Signs, consisting of any moving, swinging, rotating, flashing, blinking, scintillating, fluctuating or otherwise animated light are prohibited.

5. Off-Premise Signs:
Any signs, other than a directional sign, installed for the purpose of advertising a project, event, person or subject not related to the premises upon which said sign is located, is prohibited.

6. Vehicle Signs:
Signs on or affixed to trucks, automobiles, trailers, or other vehicles which advertise, identify, or provide direction to a use or activity not related to its lawful making of deliveries of sales or merchandise or rendering of services from such vehicles, is prohibited.

7. Light Bulb Strings and Exposed Tubing:
External displays, other than temporary decorative holiday lighting, which consist of unshielded light bulbs, and open, exposed neon or gaseous light tubing, are prohibited. An exception hereto may be granted by the Architect when the display is an integral part of the design character of the activity to which it relates.
8. **Banners, Pennants, and Balloons Used for Advertising Purposes:**
Flags, banners, or pennants, or a combination of same, constituting an architectural feature which is an integral part of the design character of a project may be permitted subject to Architect's review and City approval.

9. **Signs in Proximity to Utility Lines:**
Signs which have less horizontal or vertical clearance from authorized communication or energized electrical power lines than that prescribed by the laws of the State of California are prohibited.

**E. MISCELLANEOUS NOTES**

1. The provisions of this Exhibit, except as otherwise expressly provided by this Exhibit, shall not be applicable to the identification signs of Department Stores or other occupancy designated by the Landlord as a "Major" or "Special" tenant that may be located in the Shopping Center, it being understood and agreed that these occupants may have their usual signage on similar buildings operated by them in California; provided, however, there shall be no rooftop signs which are flashing, moving, or audible and provided said sign is architecturally compatible and has been reviewed by the Architect.
PLAN

WOODLAND PLAZA II

WAL-MART
MERVYN'S JCPenney
Builders Emporium

ELEVATION

INTERNALLY ILLUMINATED RELIEF AREA
TILE ACCENT (ALL SIDES)
MOLDINGS WITH "PLASTER" FINISH
RAISED METAL COPY WITH BACKLIT NEON ILLUMINATION
INTERNALLY ILLUMINATED SIGN CABINET; ALL ALUM. CONSTRUCTION
TEXTURED FINISH TO MATCH FINISH OF BUILDING PLASTER CABINET CONSTRUCTION: ALL ALUMINUM
SPLIT-FACE CONCRETE BLOCK BASE MATERIAL TO MATCH BUILDING MATERIAL IN SIZE AND COLOR.

SEE COLOR BOARD FOR MATERIALS INFORMATION

Sheet 7 of 9
© 1992 MCG ARCHITECTS

Job No. 90.046.01
TYPICAL SHOP ELEVATION SIGNAGE

INTERNAL ILLUMINATION OF TENANT SIGNAGE TO BE 60 MILLI-AMP NEON TUBE INSTALLED AND LABELED IN ACCORDANCE WITH THE "NATIONAL BOARD OF FIRE UNDERWRITERS SPECIFICATIONS," NATIONAL ELECTRIC CODE (NEC) AND APPROVED TESTING LABORATORY (I.E. U.L.)

THE MAXIMUM NET SIGN AREA OF ALL SIGNS SHALL NOT EXCEED 60% OF THE LINEAL LEASED FRONTAGE BY 24" MAXIMUM

SIGN COPY SHALL BE DETERMINED AT TENANTS DISGRESSION SUBJECT TO APPROVAL BY OWNER AND/OR CITY PLANNING DEPARTMENT

ALLOWABLE SIGN COLORS TO MATCH ROHM & HAAS COLORS:

1. RED 2039
2. BLUE 2114
3. YELLOW 2325
Door shown is typical for non-customer type door for receiving merchandise, etc. Occurs generally at rear of retail center. (Verify with lease plan exact locations for individual tenants).

NOTE: All lettering and numerals shall be painted or adhesive vinyl 'Optima Bold' type style, 2" high as shown in drawing on this sheet. Typical color shall be white.

Typical tenant name only. (Two lines permitted, if required).

Tenant address number.

Tenant address number to be centered and 'Optima Bold' type style.

Storefront door.

Fixed glass in storefront.

Location of tenant information, either on door or glass, (see note C-5 on sheet no. 2).
EXHIBIT G: COLOR AND MATERIALS BOARD
IS ON FILE IN
THE COMMUNITY DEVELOPMENT DEPARTMENT
December 18, 1992

Ms. Meg Williamson
Principal Planner
City of El Paso de Robles
910 Park Street
P.O. Box 307
Paso Robles, CA 93447-0307

Re: Archaeological Mitigation Plan For The Woodland Plaza II Project
And Site CA-SLO-993.

Dear Ms. Williamson:

Attached please find a copy of the archaeological mitigation plan for the Woodland Plaza II Project and site CA-SLO-993. With my assistance, this plan was prepared and revised over the past several months by The Halferty Company. The plan follows the CEQA guidelines and has a good deal of built-in flexibility. If you have any questions I can be reached at (805) 927-0455.

Have a wonderful holiday, most sincerely,

Clay A. Singer
Archaeologist

cc. J. Halferty

2450 Main Street, Suite #99 - Cambria - California 93428-3406
phone: 805/927-0455 - fax: 805/927-0414

P. one of five

EXHIBIT "H"
ARCHAEOLOGICAL RESOURCE MITIGATION PLAN
FOR THE WOODLAND PLAZA II PROJECT IN PASO ROBLES
AND AFFECTING SITE CA-SLO-993

1. INTRODUCTION

This Mitigation Plan has been prepared by the project applicant, Halferty Development Company, with the assistance and input of Clay A. Singer, archaeologist, other members of the applicant's project team, the City of Paso Robles, and members of the Native American community to mitigate the significant impacts to archaeological site CA-SLO-993 that will result from the construction of the project. The plan contains three components: (1) archaeological data recovery, analysis and documentation, (2) public education regarding scientific archaeology and Native American culture, and (3) disinterment and reinterment with due dignity of human remains and associated mortuary goods. The plan describes each of the three components in greater detail below.

Although The California Environmental Quality Act only requires a project applicant to guarantee mitigation measures in an amount equal to one-half of one percent (0.5%) of the project costs, which would limit the project applicant's liability to approximately $50,000 for this program, Halferty Development Company has agreed to spend $100,000 to implement this mitigation plan.

This Mitigation Plan accounts for the uncertainty regarding what the archaeological data recovery, analysis and documentation phase discloses and the costs relating thereto by providing flexibility rather than simply pre-determining all mitigation measures without any consideration of what the site yields. That flexibility should allow subsequent definition and refinement of the mitigation measures based on the most relevant information within the constraints imposed by the budget. The project applicant expects to supplement this Plan upon concluding the archaeological recovery, analysis and documentation of the site to clarify which measures best achieve the objectives of mitigating the project impacts based on all the data available.

2. ARCHAEOLOGICAL DATA RECOVERY, ANALYSIS AND DOCUMENTATION

The recovery of archaeological data should yield additional information about the material contents, internal structure, antiquity and overall dimensions of the site. The site has been inspected and tested, so no additional pre-development site work will be performed, except the archaeological data recovery program described below.

Items of archaeological significance are most likely to be discovered before the grading and excavation for the project.
he applicant will have a qualified archaeological monitoring team at the site whenever grading or excavation is performed. Before grading or excavation occurs, the project archaeologist will explain the following to any individual involved in grading or excavating the site: (1) the possibility of discovering significant archaeological and/or human remains on the site, (2) the importance of such remains and artifacts, (3) the need to confirm the presence of an archaeological monitoring team before engaging in any grading or excavation activities, and (4) to immediately stop work and notify the project foreman upon discovering any human remains or significant archaeological feature or object. The applicant will also hire a qualified representative from the Native American community to consult with the project archaeologist and monitor the excavation and grading phases of the project.

If archaeologically significant discoveries are made during the grading phase, then the archaeologist will attempt to remove the find for analysis off-site and the project will continue. Based on the nature of the discovery, the archaeologist will recommend the appropriate method(s) of analyzing the find(s) and documenting the results of the analysis. The project applicant anticipates that costs attributable to this aspect of the mitigation plan will not exceed $60,000.

3. PUBLIC EDUCATION REGARDING NATIVE AMERICAN CULTURE

The project applicant will begin the process of educating the public regarding Native American culture when the archaeological data recovery project begins. Because the site will yield new information about Native American culture, the project applicant intends to defer final determination about the exact implementation of all the elements of this component of the mitigation plan until the grading and excavation of the site have been completed and the data extracted during that process have been evaluated. In the meantime, the project applicant will endeavor to convene a group consisting of Native Americans, educators and students, the project archaeologist and representatives of the community to make recommendations to the project applicant regarding the best ways to accomplish the objectives of educating the public regarding Native American values with the funds available for that purpose.

In the process of preparing this mitigation plan, the project applicant has considered a variety of possible measures to increase public awareness of Native American culture, including (a) locating an explanatory plaque or memorial on the site, such as a bronze statue of a Native American family with an explanatory plaque, possibly along the five acre riparian habitat
that will be established along the western boundary of the site,* (b) contributing funds to local school programs for the study of Native American culture, (c) contributing funds to help support the Pioneer Museum, (d) contributing funds to start a Native American cultural facility, or (e) establishing a memorial off the site. The project applicant will make $25,000 available for this purpose, and that amount will be increased by any savings incurred in the first phase of this mitigation plan.

4. DISCOVERY OF HUMAN REMAINS

An emerging area of archaeology, soil geomorphology, potentially allows the project applicant to examine the site for human remains without significantly disturbing the soil by relying on chemical analysis of very small samples. Implementing such testing would allow the project applicant to identify the likely location of any human remains on the site before grading and excavation begin. This technology is very expensive; testing the entire site would, in all likelihood, cost over $30,000. Because the archaeological investigation of the site to date has indicated the likely location of any human remains, by selectively employing soil geomorphology, the project applicant should discover whatever human remains exist on the site for a more reasonable sum.

The project applicant has agreed to spend up to $15,000 to perform a soil geomorphological analysis of the site under the supervision of the project archaeologist. Any human remains discovered on the site as a result of the test shall be handled in the manner indicated in the following paragraph, except that the project applicant will discuss the appropriate disposition of the human remains and associated grave goods for three days. The project archaeologist and the Native American consultant will coordinate the treatment of all human remains and associated mortuary items.

If human remains are discovered in the course of grading or excavating the site, then the project applicant will promptly stop all such activity in that location and nearby and notify the County Coroner. If the County Coroner concludes that no

* Mr. Halferty has described the five-acre riparian habitat in a letter to the Planning Department. The costs associated with the riparian habitat—which could be integrated with elements of this plan—will be borne by the project applicant and will not be included in the cost of this plan, i.e., the project applicant will pay for this mitigation plan and the riparian habitat.
investigation of the cause of death is required and if the archaeologist confirms that the remains are of Native American origin, then the project applicant will immediately notify the Native American Heritage Commission ("NAHC") of the discovery.

The NAHC has already identified a likely descendent of the decedent and the descendent will make a specific recommendation to the project applicant within twenty-four hours. The project applicant intends to reinter all human remains and associated grave goods with due dignity on the site nearby at a depth and in a location unlikely to be affected by the grading and excavation of the project under the supervision of the project archaeologist and the Native American consultant.

The project applicant shall prepare and maintain a map that discloses the location of any human remains reinterred on the site. Because of the importance of addressing these concerns, the project applicant has expressly agreed to bear whatever costs are associated with relocating human remains and associated grave goods without offset against the costs incurred in connection with the other aspects of this mitigation plan.

5. CONCLUSION

The flexibility in the plan should allow the project applicant to maximize the effect of the mitigation measures, without exceeding the budget. As a result, the mitigation plan should address the project impacts on archaeological remains.
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All Catalog Numbers shown are 480 Volt. Other voltages are available, please specify (120, 240, 208, 277).

Gardco Optical Systems are protected by U.S. Patent #3748854

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### EXHIBIT "I" 105

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**Reflector Orientation**

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All luminaires are shipped from the factory with reflectors installed such that the orientation direction is in the "standard position".

Should your site plan require an orientation different from "standard," simply remove the lens and reflector per the installation and servicing instructions and re-orient in the desired position. Make sure the lens is reinstalled so it hinges on the side opposite (across from) the side on which the reflector hinges. Hinge side of lens door is identified as side having single latch release tab on top.

**Equivalent Projected Areas (EPA)**

**Catalog Number**

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<th>PREFIX HEIGHT GAUGE</th>
<th>POLE SIZE</th>
<th>MAXIMUM LUMINAIRE LOAD</th>
<th>ANCHOR BOLT DATA</th>
<th>SHIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>WGH-TRS - 29 - 11</td>
<td>9.0x3.6x9</td>
<td>7.5 10.5</td>
<td>CIRCLE 12.5 1X36X4</td>
<td>392</td>
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