

RESOLUTION NO.: 03-042

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING PLANNED DEVELOPMENT 02-016 FOR THE PALAZZO HOTEL PROJECT
(SOUTH VALLEY DEVELOPERS)
APN: 009-821-006

WHEREAS, Planned Development 02-016 has been filed by South Valley Developers to construct a 86,337 square foot, four story hotel with ancillary parking lot and landscaping; and

WHEREAS, the Palazzo site is located on the southern portion of the property bounded by 1st Street on the north, South Vine Street on the west, the southbound on-ramp to Highway 101 on the east and an existing single family residence on the south; and

WHEREAS, the General Plan land use designation of the Palazzo Project site is Office Professional (OP); and

WHEREAS, in conjunction with PD 02-016, South Valley Developers Inc. have applied for Rezone 03-003, to rezone the subject site to apply R/L Overlay (Resort/Lodging) which is necessary to in order to allow a hotel use on the OP zoned property; and

WHEREAS, applying R/L Overlay to establish the ability to allow a hotel on the subject site would be consistent with the City's adopted Economic Strategy where a goal is to develop Paso Robles into an "end destination" tourist attraction; and

WHEREAS, at its May 27, 2003 meeting, the Planning Commission held a duly noticed public hearing on the Palazzo Project, to accept public testimony on the proposal including Planned Development 02-016 and related applications; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed Palazzo Project qualifies for adoption of a Mitigated Negative Declaration; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

1. The proposed Palazzo Project will not be detrimental to the City's efforts to revitalize Downtown Paso Robles since the Project is a destination resort hotel with ancillary/related land uses consistent with the City's Economic Strategy.

2. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16A (Planned Development Overlay District Regulations) as follows:
 - A. The granting of the Planned Development (PD) will not adversely affect the policies, spirit and intent of the General Plan, the Zoning Ordinance, and the policies and plans of the City. Rather, the PD for the Palazzo Project implements the City's goals as expressed in its General Plan and its Economic Strategy to develop Paso Robles into an "end-destination" tourist attraction.
 - B. The Palazzo Project maintains and enhances the significant natural resources on the site. This has been accomplished through the use of extensive landscaping, and establishment of enhanced architecture.
 - C. The Palazzo Project is designed to be sensitive to, and blend in with, the character of the site and surrounding area. This has been accomplished through the use of extensive landscaping, and establishment of enhanced architecture.
 - D. The 1991 General Plan and associated Environmental Impact Report established the OP General Plan and Zoning designations for the subject site. Based on the property being OP and Ordinance No. 846 N.S. allowing hotel projects in the OP zone, the Project would not be any more disharmonious or disruptive to the surrounding area than a Office Professional complex on the subject site consistent with the OP zoning.
 - E. The Palazzo Project is consistent with the purpose and intent of the Planned Development and Resort/Lodging Chapters of the Zoning Ordinance and the Project is not contrary to the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 02-016, subject to the following conditions:

STANDARD CONDITIONS:

1. The Planned Development for the Palazzo Project shall not be operative or vested until Rezone 03-003 has been approved and put into effect.
2. The Palazzo Project shall comply with all Conditions of Approval and Exhibits contained in this Resolution and the associated Resolutions for the above-referenced Rezone 03-003.
3. The Palazzo Project shall comply with the checked standard Conditions of Approval, attached hereto as Exhibit A and incorporated by reference herein.

PLANNING SITE SPECIFIC CONDITIONS:

NOTE: In the event of conflict or duplication between standard and site-specific conditions, the site-specific condition shall supersede the standard condition.

4. The Palazzo Project shall be constructed in substantial conformance with the Conditions of Approval established by this Resolution and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBIT DESCRIPTION

A	Standard Conditions of Approval
B	Site Plan
C	North and West Exterior Elevations
D	South and East Exterior Elevations
E	Preliminary Landscaping Plan
F	Preliminary Grading Plan
G	Grading Plan Cross Sections
H	Preliminary Site Cross Sectional Elevations
I	Color and Materials Board (on file in the Community Development Dept.)

5. This Development Plan for PD 02-016, together with the application for R/L Zoning Overlay as established by Rezone 03-003 allows for development and operation of the 86,337 square foot, 130 room, four story hotel with ancillary pool, landscaping and parking.
6. Prior to issuance of a Building Permit for the Palazzo project, the following plans shall be filed with the City for Development Review Committee review and approval:
 - a. The Final Development Plan submittal is to be accompanied by submittal of the detailed plans of: 1) the site landscaping and irrigation, 2) the signage program, 3) the precise grading and drainage, 4) the water system, 5) the sewer system, and 6) the street improvements.
 - b. The Final Plans and the accompanying detailed plans are to be in substantial conformance with Exhibits A through I, which Exhibits have been incorporated into this Resolution as per Site Specific Condition No. 4.
 - c. All accessory elements including but in no way limited to trash enclosures, mechanical screens, decorative paving, fountains, outdoor lighting, building mounted lighting, tables, chairs, benches, and wall/fences shall be consistent with the architectural theme established for the Palazzo Project as shown on the Exhibits B through L.
 - d. The Final Development Plan submittal shall include information for review and approval of the Fire Department, which information shows how the required fire flow of 3,000 gallons per minute for 4-hours will be provided to meet all project demands, or at a rate acceptable to the Fire Marshall.
7. Prior to issuance of a grading permit, the following notes shall be added to the plans:
 - a. The major site grading and disturbance is confined to Spring, Summer and Fall (April through October) to avoid exposure to winter storm periods (November through March).
 - b. The site grading is to be in substantial conformance with the graphic representation and site sections provided.

- c. Disturbed areas will be replanted with appropriate ground cover and/or erosion control mix immediately following grading so as to stabilize the site and prevent erosion. Other erosion control measures (such as siltation fences, mulching and hydro seeding) may be required by the City as part of the Conditions attached to the grading permit.
 - d. Any existing Oak trees located on the project site shall be protected and preserved as required in City's Oak Tree Preservation Ordinance No. 835 N.S, as codified in Chapter 10.01 - Oak Tree Preservation of the Municipal Code, unless specifically authorized by the City Council to be removed.
 - e. If, during site preparation, archeological resources are discovered, all work in the area shall stop and the Planning Division shall be notified. An assessment, including specific mitigation measures, shall be prepared by a qualified individual/consultant, at the applicant's expense, and submitted to the City for review and approval. The recommended mitigation measures shall be followed prior to resuming work in the area.
 - f. The foundations and structural design of the buildings shall be consistent with the Uniform Building Code in order to address potential exposure to soils/geologic conditions and seismic hazards.
8. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval. (This provision is not intended to prevent small containers of fuel or maintenance chemicals normally associated with commercial lodging and/or landscape maintenance).
9. All existing and new overhead utilities shall be placed underground.
10. Temporary construction noise levels in excess of 60 dBLdn shall be restricted to the daylight hours of 7am to 6pm. Noise levels shall be measured or monitored from site boundaries or the nearest adjoining residential use to determine compliance.
11. All recommendations regarding biological mitigation measures as described in the Habitat Assessment by Baxter Biological Consulting, dated October 2002, shall be complied with to the satisfaction of the Biologist prior to the issuance of a Grading Permit.
12. All necessary permits from Army Corps and Department of Fish and Game regarding working in and around a drainage way are necessary prior to the issuance of a Grading Permit.
13. All recommendations regarding noise mitigation measures as described in the Noise Study by Dohn & Associates, dated April 4, 2002, shall be complied with to the satisfaction of the Noise consultant prior to the issuance of a Building Permit.

ENGINEERING SITE SPECIFIC CONDITIONS:

14. The applicant shall construct curb, gutter and sidewalk on Vine Street in accordance with City West Side Standard A-12. The street width will be reduced to 16 feet wide, or as approved by the City Engineer, with asphalt curbs in the areas of the driplines of oak trees. The sidewalk will be designed to meander around the oak trees with a minimum of site disturbance.

15. All on-site utilities shall be privately maintained. Therefore, each fire line connection to City water mains in adjacent streets will require a double check valve assembly. Water meters for this project will be placed at Vine Street.
16. An 10-inch water main shall be extended in Vine Street from 1st Street to the south boundary of the project.
17. The applicant shall construct an 8-inch sewer main in Vine Street from the 1st Street lift station south as necessary to serve the project; or the applicant shall obtain sewer service through a network of private sewers extended from the development of the property at 1st and Vine Streets (PD 02-017). The applicant will need to provide evidence of private sewer easements to gain service from another property.
18. All existing overhead utility lines along Vine Street shall be relocated underground.
19. A Storm Water Pollution Prevention Plan must be submitted prior to issuance of a grading permit. Storm water quality mitigation measures must be incorporated into the grading and drainage design. Storm water detention must be incorporated into the project in accordance with City Standards or as approved by Caltrans. A Caltrans encroachment permit, or letter of acknowledgement from the Department Permits Office, will be required for storm water discharge.
20. Prior to the issuance of a Building Permit, the applicant shall enter into an agreement to not protest the future assessment district for road improvements to the west side of South Vine Street if needed.

AIR POLLUTION CONDITIONS:

21. The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in section 6.4 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:
 - a. Reduce the amount of the disturbed area where possible.
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
 - c. All dirt stockpile areas should be sprayed daily as needed.
 - d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
 - e. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
 - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.

- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible

22. NO_x Control Measures:

To minimize emission from construction equipment during this project, the following measures should be implemented:

- a. The project owner should ensure that all construction equipment be properly maintained and tuned according to manufacturer's specifications.
- b. The project owner should ensure that all off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, be fueled exclusively with CARB motor vehicle diesel fuel.

23. Site Designing Elements:

These measures will increase the viability of choosing an alternative form of transportation thus decreasing dependence on private vehicle trips and they will reduce evaporative emissions from parked vehicles. Include as many of the following Site Design measures as feasible:

- a. Provide bike parking at a ratio of one bike parking space for every 10 employee automobile spaces.
- b. Provide preferential carpool parking for employees.
- c. Increase trees in the parking lot landscaping to provide shade, reducing surface temperatures.
- d. Use lighter color roofing and road materials.
- e. Provide on-site banking (ATM) and postal services.
- f. Improve the pedestrian environment to promote direct pedestrian traffic between the hotel and the Belmont project's foodservice establishment.
- g. Since the project is located on an established transit route, establish a transit stop or if one is already present, make improvements to the stop such as:
 - Providing better public transit accessibility by implementing transit turnouts
 - Providing better or more shelters for transit riders
 - Providing bike lockers at or near the transit stop.
- h. Provide direct pedestrian access between the public transit stop and the two projects.

24. Provide the following construction upgrades in order to increase building energy efficiency rating by 10% above what is required by Title 24 requirements.

- a. Upgrade the wall insulation to at least R-13.
- b. Upgrade the attic insulation to R-30.
- c. Use energy efficient lighting where feasible.

- d. Use vinyl windows for greater efficiency.
 - e. Provide solar heating for the pool in the future if the conversion becomes more viable.
25. Transportation Demand Element: Establish an Employee Transportation coordinator to inform and update the employees at the two project locations of the transportation alternatives that are available.
26. Applicant shall fund up to \$6000 toward the City Bicycle Master Plan or to help fund a City Trolley vehicle at the time of Building Permit for Construction of the Hotel. Funding must be used for further bicycle plan or trolley plan study, or to implement previous identified project(s) from master plan.

OAK TREE MITIGATION

27. The following mitigation measures shall be incorporated into the construction drawings for the project. A letter from the Arborist acknowledging that the appropriate measures have been taken will be required prior to the issuance of a Grading or Building Permit:

Tree 7:

- a. Limit grading to no more than four feet behind the proposed retaining wall.
- b. Design the wall with as small of a "heel" as possible.
- c. Push the walls as far away from the tree as possible, possibly omitting the lower planter area on the north side of the tree, and push the wall four to five feet away.
- d. Extend the CRZ into the corners of the planter, adding 80 square feet of protected area.

Tree 8

- a. Extend the protective fencing on the north and south sides of the tree to enclose an additional 1,200 square feet of protected area (600sq.ft. each end).
- b. Build the side walk of pervious materials, such as interlocking pavers, without changing existing grades.
- c. Retainer wall footings are to have the smallest "heel" feasible, to limit the back cut behind the wall.
- d. Narrow Vine Street if feasible.

Tree 9

- a. Extend the protective fencing to meet with fencing for Tree #8, adding 400 square feet to added root protection.
- b. Build the side walk on a raised bridge platform throughout the CRZ of Trees #9 and #10, maintaining existing grades and soil density (or other measures as requested by the City Engineer).
- c. Narrow Vine Street if feasible. This can reduce the impacts to levels the tree can tolerate, for both root and canopy impacts. If this alternative is not followed, the tree has a much smaller likelihood of thriving.

Tree 10

- a. Build a sidewalk on a raise bridge platform throughout the CRZ of trees #9 and #10, maintaining existing grades and soil density (or other measures as requested by the City Engineer).

- b. Limit grading for the street and driveway to no more than four feet wide from the back of curb, throughout the turning radius of the driveway. Extend the retaining wall if feasible to support the change of grade.
- c. If the existing gas line that runs near tree #10 is to be moved, it shall be abandon in place without digging it up.

Tree 11

- a. Building the sidewalk on a raised bridge platform throughout the CRZ of trees 9, 10 and 11, maintaining existing grades and soil density (or other measures as requested by the City Engineer).
 - b. Retainer wall footings are to have the smallest "heel" as feasible.
 - c. Limit the back cut to no more than four feet behind the wall.
 - d. Eliminate the cut bank in the southwest quadrant of the CRZ.
28. Prior to the submittal of the improvement plans /grading plans, the applicant and his engineer shall meet with City Staff and the project Arborist to review ways where the parking areas and retaining walls can be shifted to lessen the impacts of the oak trees. Compact parking may be an option to reduce the parking lot impacts.
29. The Arborist shall be on site to monitor any work within the CRZ of an oak tree on site.
30. The Protection Requirements as listed in the Arborist Report performed by Carolyn Leach on March 18, 2003, shall be listed on the Grading Plans.

KIT FOX MITIGATION:

31. Prior to the issuance of a Grading Permit, the property shall be resurveyed specifically for Kit Fox immediately prior to the start of construction/grading activities.
32. The Arborist shall be on site to monitor any work within the CRZ of any of the oak trees on site.
33. The Protection Requirements, as listed in the Arborist Report performed by Carolyn Leach on March 18, 2003, shall be listed on the grading plans.

NOISE:

34. There are no areas on the site which could readily be imagined as "outdoor activity" areas where noise levels will exceed 65 Ldn / CNEL. It is recommended, however, that all such areas be located as much as possible near the interior of the site and not exposed directly (via line of site) to Highway 101 or the 101 onramp if at all possible.

BIOLOGICAL:

- 35 Prior to issuance of a Grading Permit, the applicant shall follow any mitigation requirements from encroachment permits as needed from other agencies for working within the drainage ways on site,

36. All recommended conditions within the Habitat assessment performed by Baxter Biological Consulting need to be conformed with to the satisfaction of the Biologist, prior to the issuance of a grading permit.

EMERGENCY SERVICES SITE SPECIFIC CONDITIONS:

37. Hydrant spacing on Vine Street shall comply with multi-family/commercial requirements.

38. Bridges and crossings constructed on primary and secondary roads shall be designed and constructed to be able to support the imposed loads of all fire department apparatus.

39. All secondary and emergency access roads shall meet Uniform Fire Code specifications and conform to the requirements contained within the City Zoning Code.

40. Prior to the start of construction information shall be submitted to the Fire Department showing the required fire flows can be provided to meet all demands.

41. Access from 1st Street and Vine Street must be completed prior to project acceptance.

PASSED AND ADOPTED THIS 27th day of May, 2003 by the following Roll Call Vote:

AYES: Warnke, Ferravanti, Johnson, Steinbeck, Kemper

NOES: Flynn

ABSENT: Calloway

ABSTAIN: None

CHAIRMAN RON JOHNSON

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY