

RESOLUTION NO. PC-1007-19

A RESOLUTION OF THE SAN LUIS OBISPO PLANNING COMMISSION APPROVING THE DEVELOPMENT OF A 31,250-SQUARE FOOT OPERATION, ADMINISTRATION AND MAINTENANCE FACILITY FOR THE REGIONAL TRANSIT AUTHORITY (RTA), INCLUDING A REQUEST FOR A FENCE HEIGHT EXCEPTION TO ALLOW A FENCE OF A MAXIMUM OF 8 FEET WHERE A RANGE OF HEIGHTS FROM 3 TO 6 FEET IS THE STANDARD MAXIMUM WITH A MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL REVIEW AND ADDENDUM AS REPRESENTED IN THE STAFF REPORT AND ATTACHMENTS DATED JULY 24, 2019 (253 ELKS LANE, ARCH-0200-2019 & EID-0201-2019)

WHEREAS, the Architectural Review Commission of the City of San Luis Obispo conducted a public hearing in the Council Hearing Room of City Hall, 990 Palm Street, San Luis Obispo, California, on June 17, 2019, recommending the Planning Commission find the project consistent with the Community Design Guidelines, pursuant to a proceeding instituted under ARCH-0200-2019, Geoff Straw, applicant; and

WHEREAS, the Planning Commission of the City of San Luis Obispo conducted a public hearing in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California, on July 24, 2019, pursuant to a proceeding instituted under ARCH-0200-2019 & EID-0201-2019, Geoff Straw, applicant; and

WHEREAS, the Planning Commission of the City of San Luis Obispo has duly considered all evidence, including the testimony of the applicant, interested parties, and evaluation and recommendations by staff, presented at said hearing.

WHEREAS, notices of said public hearings were made at the time and in the manner required by law; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Luis Obispo as follows:

SECTION 1. Environmental Review. A Mitigated Negative Declaration was adopted by the RTA Board on September 6, 2017 (SCH# 2017071040). The Planning Commission hereby adopts the Addendum to the adopted Mitigated Negative Declaration of Environmental Review, finding that: 1) the minor technical changes addressed in the Addendum do not materially change the findings and conclusions of the adopted Mitigated Negative Declaration; 2) no substantial changes are proposed or would occur that would require major revisions to the adopted Mitigated Negative Declaration; 3) no new significant environmental effects are identified and there would not be a substantial increase in the severity of previously identified significant effects; 4) the modified mitigation measure AQ-3 is more effective in mitigating the potential significant effects and it will not cause any potentially significant effects on the environment; 5) the project would not result in any significant effects that would be substantially more severe than what was

identified in the adopted Mitigated Negative Declaration; and 6) the applicant will comply with all adopted mitigation measures.

Air Quality

AQ-1 Measures to Reduce Fugitive Dust During Construction. Implementation of the following mitigation measures, as recommended by the San Luis Obispo County APCD, would be required to minimize construction fugitive dust emissions and help ensure that construction emissions remain at a less than significant level.

- Reduce the amount of the disturbed area where possible;
- Water trucks or sprinkler systems shall be used during construction in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible;
- All dirt stockpile areas shall be sprayed daily as needed;
- Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities;
- Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD;
- All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible after grading unless seeding or soil binders are used;
- Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible;
- All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and 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 SLOAPCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-2 Measures to Reduce Construction Equipment Emissions.

- Maintain all construction equipment in proper tune according to the manufacturer's specifications;
- Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with State Off-road Regulation;
- Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with State On-Road Regulation;
- Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive of NOX exempt area fleet) may be eligible by proving alternative compliance;
- All on- and off-road diesel equipment shall not idle for more than five minutes. Signs shall be posted in the designated queuing areas and on job sites to remind drivers and operators of the five-minute idling limit;
- Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- Electrify equipment when possible;
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
- Use alternatively fueled construction equipment on-site where feasible,

AQ-3 Measures to Reduce Operational Idling Emissions. To help reduce the emissions impact from diesel buses and equipment at the proposed facility, RTA will implement California Diesel Idling Regulations; On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations, consistent with local requirements and procedures by the San Luis Obispo County Air Pollution Control District.

Biological Resources

BIO-1 Nesting Birds. To avoid disturbance of nesting and special-status birds, including raptorial species protected by the MBTA and CFGC, activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 15 through September 1), when possible. If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted by a Qualified Biologist no more than one week prior to initiation of ground disturbance and vegetation removal activities to determine the presence/absence of nesting birds within the project site. The California Department of Fish and Wildlife generally considers an appropriate buffer of 100 feet for passerines and 300 feet for raptors. The Qualified Biologist shall perform at least two hours of pre-construction monitoring of the nest to characterize "typical" bird behavior. The Qualified Biologist shall monitor the nesting birds and shall increase the buffer if the Qualified Biologist determines the birds are showing signs of unusual or distressed behavior due to project activities. Atypical nesting behaviors that may cause reproductive harm include but are not limited to, defensive flights/vocalizations directed towards project personnel, standing up from a brooding position, and flying away from the nest. The Qualified Biologist shall have

authority, through the Resident Engineer, to order the cessation of all project activities if the nesting birds' exhibit atypical behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established. To prevent encroachment, the established buffer(s) shall be clearly marked by high visibility material. The established buffer(s) shall remain in effect until the young have fledged or the nest has been abandoned as confirmed by the Qualified Biologist. Any sign of nest abandonment shall be reported to California Department of Fish and Wildlife within 48 hours

BIO-2 Invasive Plant Species. To minimize the spread of invasive plant species during project work, prior to construction all staff and contractors shall receive from a qualified botanist/biologist, invasive plant prevention training. The training shall provide an appropriate identification/instruction guide, a list of target species for the area, and a list of measures for early detection and eradication. Prior to construction, specific areas shall be designated for cleaning of tools, vehicles, equipment, clothing, footwear, and any other gear to be used on site. During construction, before entering and exiting the work site, all tools, equipment, vehicles, clothing, footwear, and other gear shall be thoroughly cleaned to remove soil, seeds, and plant parts. The reproductive parts (seeds, mature flowers, roots and shoots, as well as other parts of species that reproduce in a vegetative manner) shall be removed, stored in sealed containers, transported sealed, and appropriately disposed of at a certified landfill. All disturbed areas that are not converted to hardscape shall be hydroseeded with a mix of locally native species upon completion of work in the area. In areas where construction is ongoing, hydro-seeding shall occur in those areas where no construction activities have occurred within six weeks of ground disturbance. If exotic species invade the area prior to hydro-seeding, weed removal shall occur in consultation with a qualified botanist/biologist.

Cultural Resources

CUL-1 Archeological Testing Program. Prior to project related ground disturbance, an Extended Phase I (XPI) archaeological testing program shall be performed within the project area of potential effect (APE). This study should be conducted by a qualified archaeologist under the direction of a qualified principal investigator and in accordance with CEQA and Section 106. The qualified archaeologist should prepare a testing plan designed to establish the presence or absence and extent of archaeological deposits within the direct APE. An XPI conducted prior to project construction could reduce potential delays caused by unanticipated finds during construction by informing the applicant of what types of resources may exist on the property and where. In the event that a subsurface resource is found during the XPI, additional studies such as a Phase II investigation may be required to determine if the resource is eligible for the CRHR and/or the NRHP. The results of the XPI will also determine whether additional mitigation such as monitoring will be necessary. XPI testing should be observed by a Native American monitor.

CUL-2 Monitoring by Qualified Archaeologist. A qualified principal investigator, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology (36 CFR 61), shall be retained to carry out all mitigation measures related to archaeological and historical resources (hereafter principal investigator). Monitoring shall involve inspection of subsurface construction disturbance at or in the immediate vicinity of known sites, or at locations

that may harbor buried resources that were not identified on the site surface.

CUL-3 Unanticipated Discovery of Human Remains. The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the San Luis Obispo County coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Geology and Soils

GEO-1 Conduct Geotechnical Investigation and Soil Remediation. Prior to construction activities, a preliminary geotechnical investigation shall be conducted to determine the presence or absence of unstable soils or soils that would become unstable during a seismic event, including the potential for liquefaction at the project site. The geotechnical investigation shall be conducted by trained engineers and shall comply with ASTM approved methodologies. Based on the results of the preliminary geotechnical investigation, unstable soils or soil that would become unstable during a seismic event shall be remediated to ensure that on-site soils would provide adequate structural support for proposed structures. All on-site structures, transportation infrastructure and subgrades shall comply with applicable methods of the California Building Code and all transportation infrastructures shall comply with the most current California Department of Transportation design standards. Soil remediation may be achieved through, for example, structural piers, excavation of unstable soils, importation of clean, engineered fill, compaction of existing on-site soils, improvement of sub-surface drainage, or a combination of methodologies.

Noise

NOI-1 Construction Vehicle Travel Route. Construction vehicles and haul trucks shall utilize roadways which avoid residential neighborhoods and sensitive receptors, where possible. The applicant shall submit a proposed construction vehicle and hauling route for City review and approval prior to grading/building permit issuance. The approved construction vehicle and hauling route shall be used for soil hauling trips prior to construction as well as for the duration of construction.

NOI-2 Construction Activity Timing. Except for emergency repair of public service utilities, or where an exception is issued by the Community Development Department, no operation of tools or equipment used in construction, drilling, repair, alteration, or demolition work shall occur daily between the hours of 7:00 PM and 7:00 AM, or any time on Sundays, holidays, or after sunset, such that the sound creates a noise disturbance that exceeds 75 dBA for single family residential, 80 dBA for multi-family residential, and 85 dBA for mixed residential/commercial land uses

across a residential or commercial property line.

NOI-3 Construction Equipment Best Management Practices (BMPs). For all construction activity at the project site, noise attenuation techniques shall be employed to ensure that noise levels are maintained within levels allowed by the City of San Luis Obispo Municipal Code, Title 9, Chapter 9.12 (Noise Control). Such techniques shall include:

- Sound blankets on noise-generating equipment.
- Stationary construction equipment that generates noise levels above 65 dBA at the project boundaries shall be shielded with barriers that meet a sound transmission class (a rating of how well noise barriers attenuate sound) of 25.
- All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.
- For stationary equipment, the applicant shall designate equipment areas with appropriate acoustic shielding on building and grading plans. Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities.
- Electrical power shall be used to power air compressors and similar power tools.
- The movement of construction-related vehicles, with the exception of passenger vehicles, along roadways adjacent to sensitive receptors shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Saturday. No movement of heavy equipment shall occur on Sundays or official holidays (e.g., Thanksgiving, Labor Day).
- Temporary sound barriers shall be constructed between construction sites and affected uses.

NOI-4 Neighboring Property Owner Notification and Construction Noise Complaints. The contractor shall inform residents and business operators at properties within 300 feet of the project site of proposed construction timelines and noise complaint procedures to minimize potential annoyance related to construction noise. Proof of mailing the notices shall be provided to the Community Development Department before the City issues a zoning clearance. Signs shall be in place before beginning of and throughout grading and construction activities. Noise-related complaints shall be directed to the City's Community Development Department.

Plan Requirements and Timing. Construction plans shall note construction hours, truck routes, and construction Best Management Practices (BMPs) and shall be submitted to the City for approval prior to grading and building permit issuance for each project phase. BMPs shall be identified and described for submittal to the City for review and approval prior to building or grading permit issuance. BMPs shall be adhered to for the duration of the project. The applicant shall provide and post signs stating these restrictions at construction site entries. Signs shall be posted prior to commencement of construction and maintained throughout construction. Schedule and neighboring property owner notification mailing list shall be submitted 10 days prior to initiation of any earth movement. The Community Development department shall confirm that construction noise reduction measures are incorporated in plans prior to approval of grading/building permit issuance. All construction workers shall be briefed at a pre-construction meeting on construction hour limitations and how, why, and where BMP measures are to be implemented. A workday

schedule will be adhered to for the duration of construction for all phases.

Monitoring. City staff shall ensure compliance throughout all construction phases. Building inspectors and permit compliance staff shall periodically inspect the site for compliance with activity schedules and respond to complaints.

Tribal Cultural Resources

TCR-1 Native American Monitor. A Native American monitor shall be present during ground disturbing activities due to the area being identified as a culturally sensitive location. The monitor(s) shall be on-site on a full-time basis during earthmoving activities, including grading, trenching, vegetation removal, or other excavation activities.

TCR-2 Unanticipated Discovery of Tribal Cultural Resources. In the event that archaeological resources of Native American origin are identified during project construction, a qualified archaeologist will consult with the City to begin Native American consultation procedures.

SECTION 2. Findings. The Planning Commission hereby grants final approval to the project (ARCH-0200-2019 & EID-0201-2019), based on the following findings:

1. As conditioned, the project will not be detrimental to the health, safety, and welfare of persons living or working at the site or in the vicinity because the project respects site constraints and will be compatible with the scale and character of the neighborhood.
2. The project is consistent with the Zoning Regulations, since the proposed building design complies with all property development standards including height, setbacks, coverage, floor area ratio, density, and parking for the Office zone with a Planned Development and Special Focus Overlays (O-PD-SF).
3. The project is consistent with the General Plan, Land Use Element Policies 3.5.1(D) and 5.1.1 because it promotes the location of a regional transportation agency near the intersections of South Higuera Street, Prado Road, and Highway 101 and supports the grouping of government offices that provide similar types of services for efficient service delivery.
4. The proposed project is consistent with Chapter 17.64. Airport (AOZ) Overlay Zone of the Zoning Regulations.
5. The project design is consistent with the City's Community Design Guidelines Section 3.3, industrial development, and provides a design that is compatible with the proposed use and the characteristics of the surrounding neighborhood.
6. The project design is consistent with the Community Design Guidelines by providing a variety of architectural treatments and landscaping that add visual interest and articulation to the building and site design that are compatible with the design and scale of the existing structures in the surrounding neighborhood.

7. No public purpose is served by strict compliance with the City's fence height standards because the location, height, and extent of the proposed fence would not have a negative effect on the health, safety, or welfare of those living or working in the community.
8. Fencing will be located outside of the required sight distance triangles in order to ensure adequate sight distance at the driveways.

SECTION 3. Action. The project conditions of approval do not include mandatory code requirements. Code compliance will be verified during the plan check process, which may include additional requirements applicable to the project. The Planning Commission (PC) hereby grants final approval to the project with incorporation of the following conditions:

Planning Division

1. Final project design and construction drawings submitted for a building permit shall be in substantial compliance with the project plans approved by the Planning Commission for project ARCH-0200-2018. A separate, full-size sheet shall be included in working drawings submitted for a building permit that lists all conditions and code requirements of project approval listed as sheet number 2. Reference shall be made in the margin of listed items as to where in plans requirements are addressed. Any change to approved design, colors, materials, landscaping, or other conditions of approval must be approved by the Director or Architectural Review Commission, as deemed appropriate.
2. It shall be the responsibility of all owners of property offered for sale or for lease within the airport overlay zone (AOZ) to provide a disclosure prior to selling or leasing property in San Luis Obispo as specified in the airport land use plan.
3. Plans submitted for a building permit shall call out the colors and materials of all proposed building surfaces and other improvements. Colors and materials shall be consistent with the color and material board submitted with Architectural Review application.
4. Plans submitted for a building permit shall clearly depict the type of bicycle racks proposed, location and dimensions of all short and long-term bicycle parking. Sufficient detail shall be provided about the placement and design of bike racks to demonstrate compliance with relevant Engineering Standards and Community Design Guidelines, to the satisfaction of the Public Works and Community Development Directors.
5. Plans submitted for a building permit shall include recessed window details and all other details including but not limited to awnings, and railings. Plans shall indicate the type of materials for the window frames and mullions, their dimensions, and colors. Plans shall include the materials and dimensions of all lintels, sills, surrounds recesses and other related window features. Plans shall demonstrate the use of high-quality materials for all design features that reflect the architectural style of the project and are compatible with the neighborhood character, to the approval of the Community Development Director.

6. Mechanical and electrical equipment shall be located internally. With submittal of working drawings, the applicant shall include sectional views of the building, which clearly show the sizes of any proposed condensers and other mechanical equipment. If any condensers or other mechanical equipment is to be placed on the roof, plans submitted for a building permit shall confirm that parapets and other roof features will adequately screen them. A line-of-sight diagram may be required to confirm that proposed screening will be adequate. This condition applies to initial construction and later improvements.
7. The location of any required backflow preventer and double-check assembly shall be shown on all site plans submitted for a building permit, including the landscaping plan. Construction plans shall also include a scaled diagram of the equipment proposed. Where possible, as determined by the Utilities Director, equipment shall be located inside the building within 20 feet of the front property line. Where this is not possible, as determined by the Utilities Director, the back-flow preventer and double-check assembly shall be located in the street yard and screened using a combination of paint color, landscaping and, if deemed appropriate by the Community Development Director, a low wall. The size and configuration of such equipment shall be subject to review and approval by the Utilities and Community Development Directors.
8. A final landscaping plan, including irrigation details and plans, shall be submitted to the Community Development Department along with working drawings. The legend for the landscaping plan shall include the sizes and species of all groundcovers, shrubs, and trees with corresponding symbols for each plant material showing their specific locations on plans. Street trees species shall comply with City standards.
9. Plans submitted for building permit shall include a photometric plan, demonstrating compliance with maximum light intensity standards. The locations of all lighting, including bollard style landscaping or path lighting, shall be included in plans submitted for a building permit. All wall-mounted lighting fixtures shall be clearly called out on building elevations included as part of working drawings. All wall-mounted lighting shall complement building architecture. The lighting schedule for the building shall include a graphic representation of the proposed lighting fixtures and cut-sheets on the submitted building plans. The selected fixture(s) shall be shielded to ensure that light is directed downward consistent with the requirements of the City's Night Sky Preservation standards contained in Chapter 17.70.100 of the Zoning Regulations.
10. In order to further reduce potential noise impacts, the east bay doors shall remain closed from 10:00 p.m. to 7:00 a.m. daily except for egress and ingress.

Engineering Division – Public Works/Community Development

11. Projects involving the construction of new structures generally requires that complete frontage improvements be installed or that existing improvements be upgraded per city standard. MC 12.16.050.

12. New curb, gutter, sidewalk, street paving, signing, striping, and driveway approach improvements are normally required as a condition of development permits and would be constructed in accordance with City Engineering Standards and Standard Specifications. Because of the timing with the design and construction of the Prado Road overpass, the City has approved the deferral of some or all of the standard street improvements along Elks, Prado, and the Elks realignment. The applicant/property owner should provide a written request to defer said improvements. If deferred, a covenant agreement shall be recorded to complete the frontage improvements in the future.
13. Interim access and utility connections shall be approved to the satisfaction of the City and serving utility companies.
14. The building permit plan submittal shall include all required parking lot improvements, dimensions, space dimensions, maneuverability, materials, space and aisle slopes, drainage, pavement marking, signage, and striping in accordance with the Parking and Driveway Standards and disabled access requirements of the CBC.
15. The building plan submittal shall show and note the right-of-way width, location of frontage improvements, front property line location, offers of dedication, and all easements. All existing and proposed improvements located within the public right-of-way shall be shown for reference.
16. The building plan submittal shall include a complete site utility plan. All existing and proposed utilities along with utility company meters shall be shown. Existing underground and overhead services shall be shown along with any proposed alterations or upgrades. All work in the public right-of-way shall be shown or noted.
17. All new wire services to the new structure(s) including electrical service, phone, fiber, and cable TV shall be placed underground. The undergrounding of utilities shall be completed without a net increase in the number of required utility poles.
18. New streetlight(s) may be required along the realigned Elks frontage depending upon whether temporary access or complete frontage improvements will be constructed.
19. The building plan submittal shall include a complete grading, drainage and topo plan. The grading and drainage plan shall show existing structures and grades located within 15' of the property lines in accordance with the grading ordinance. The plan shall consider historic offsite drainage tributary to this property that may need to be conveyed along with the improved on-site drainage. This development will alter and/or increase the storm water runoff from this site. The improved or altered drainage shall be directed to the street and not across adjoining property lines unless the drainage is conveyed within recorded easements or existing waterways.

20. The building plan submittal shall show and note compliance with the Post Construction Stormwater Regulations as promulgated by the Regional Water Quality Control Board for development projects. Post Construction Plan checklists are available on the City website or by request. An operations and maintenance manual will be required for the post-construction stormwater improvements.
21. The building plan submittal shall include a Private Stormwater Conveyance System Management and Maintenance Agreement (Operations and Maintenance Agreement) on a form provided by the City. The agreement shall be recorded and shall reference any separate maintenance program documents and the approved building plans.
22. Water quality treatment systems, the treatment train, and maintenance BMP's shall be included in an Operation and Maintenance Manual.
23. The final drainage report shall show and note compliance with Waterway Management Plan Drainage Design Manual. The final drainage report and building plan submittal shall show and note compliance with the Floodplain Management Regulations. The drainage report shall include a complete summary of any initial (Interim) drainage improvements vs. the final drainage improvements, strategy, and design. The report shall clarify what future improvements may be required to accommodate the Elks Lane re-alignment.
24. The building plan submittal shall comply with the City's Floodplain Management Regulations and the current Flood Insurance Rate Map. City/FEMA regulations require elevation and/or floodproofing to at least 1' above the Base Flood Elevation (BFE). Floodproofing to a freeboard height of 2' above the BFE may provide better flood protection/reduced flood insurance premiums and is recommended.
25. The building plan submittal shall include a detailed site plan exhibit to show the scope of improvements, alterations, and demolitions required to accommodate the future Elks Lane re-alignment as currently contemplated. The plan shall consider final parking lot access, site improvements, circulation, utility relocations, site lighting, and landscaping. A covenant agreement to remove, alter, or relocate the existing improvements to accommodate the Elks Lane re-alignment shall be recorded prior to final inspection approvals, if applicable.
26. One 15-gallon street tree is generally required for each 35 lineal feet of frontage as a condition of development. Some street tree planting may be deferred and included in a covenant for future planting/improvements if specifically approved for deferral by the City Arborist and Community Development Director.
27. The City supports the proposed tree removals and the proposed compensatory on-site tree plantings as shown in the ARC plans. Additional landscape/buffer trees may be required along the Prado and Elks frontages outside the proposed security fencing. The final tree planting requirement and species shall be approved to the satisfaction of the Community Development Director and City Arborist depending upon the project timing, overpass project timing, and final designs.

Utilities Department

28. Recycled water, or another non-potable water source, shall be used for construction water (dust control, soil compaction, etc.). An annual Construction Water Permit is available from the City's Utilities Department. Recycled water is readily available east of the intersection of Elks Lane and Prado Road.
29. Prior to issuance of a building permit the development's recycled water system shall have: a 12-inch recycled water system along the north boundary of the project, and within the Elks Lane realignment; approximately 650-ft of main. The new main will remain inactive (dry) until the final connection to the east is made onto Prado Road by the Day Center Improvements, therefore the project may use potable water from the north boundary to feed the irrigation system. A temporary connection can be made from the recycled water main available on Prado Road to service the project from the south boundary through an alignment meeting the Engineering Design Standards, and to the satisfaction of the Utilities Engineer.
30. Water flow rates and flow velocities shall comply with the requirements of the 2016 Potable Water Distribution System Operations Master Plan. Prior to issuance of a building permit the development's water system shall have: (1) a 12-inch water main extending easterly along the new Elks Lane realignment up to the northeast corner of the project; and (2) approximately 650-ft of water main.
31. Sewer flow rates and flow velocities shall comply with the requirements of the 2016 Wastewater Collection System Infrastructure Renewal Strategy. Prior to issuance of a building permit the development's sewer system shall have: a private sewer lateral adequately sized to convey the new sewer flows to a point near the east boundary of the project, and then temporarily discharge the flows south into the 48" sewer main along Prado Road. The Prado Road overcrossing may require the 48" sewer main to get relocated into the new Elks Lane Road realignment, which may trigger the need to re-direct the sewer flows from the east boundary of the project to a point located near the northeast corner of the project. The lateral relocation and re-direction of flow will not be in the scope of this proposed project, but the inverts need to be deep enough to re-direct the flows without the need of a private lift station.
32. Separate utilities, including water, sewer, gas, electricity, telephone, and cable TV shall be served to each lot to the satisfaction of the Public Works Department and serving utility companies. All public and private sewer mains/laterals shall be shown on the public improvement plans and shall be constructed per City Engineering Standards unless a waiver or alternate standard is otherwise approved by the City. The plans shall clearly delineate and distinguish the difference between public and private improvements. No sewer lift stations shall be used for the wastewater collection system given that preliminary designs demonstrate the ability to serve the development by a gravity sewer system.
33. All proposed utility infrastructure shall comply with the latest engineering design standards

effective at the time the building permit is obtained, and shall have reasonable alignments needed for maintenance of public infrastructure. All public utilities shall be within the public right of way, and final alignment of all water and sewer mains to be approved by the Utilities Engineer.

34. All sewer and water infrastructure impacted by the proposed Elks Lane re-alignment and associated appurtenances shall be removed and replaced to the satisfaction of the Utilities Director.
35. Where automobiles are serviced, greased, repaired, or washed, separators shall be provided to prevent the discharge of oil, grease, and other substances harmful or hazardous to the City's wastewater collection system consistent with City standards.
36. Final grades and alignments of all public and/or private water, recycled water, sewer and storm drains shall be approved to the satisfaction of the Public Works Director and Utilities Department. The final location, configuration, and sizing of on-site service laterals and meters shall be approved in conjunction with the review of the building plans, fire sprinkler plans, and/or public improvement plans.
37. The limit, extent, and method of termination for all public utilities shall be approved to the satisfaction of the City Utilities Engineer. The final design shall consider any on-going City maintenance of the same. Redundant mains or mainlines located with limited access for maintenance may need to be redesigned. The extension of mainlines along the project boundary/frontage may be required for orderly development.
38. The improvement plans shall show the location of all domestic and landscape water meters. The plan shall include service lateral sizes and meter sizes. Sizing calculations may be required to justify service and meter sizing.
39. Irrigation systems using recycled water shall be designed and operated as described consistent with the City's Procedures for Recycled Water Use, including the requirement that sites utilizing recycled water require backflow protection on all potable service connections. Three sets of irrigation plans shall be submitted for review during the City's improvement plan and/or building permit review process.
40. The project's Landscape Plan shall be consistent with provisions of the City's maximum applied water allowance or (MAWA).
41. Management of refuse generations for waste, recyclables, and organics shall comply with state law per AB 1826 and the local waste management ordinance to reduce greenhouse gas emissions.
42. Driveways and access routes to all refuse receptacles shall be designed to accommodate the size and weight of the garbage trucks; a written confirmation from the San Luis Garbage Company shall be included in the building permit plans for the proposed project.

Transportation Division – Public Works

43. Prior to building permit issuance, the applicant shall provide a preliminary design of the realignment of Elks Lane along the project frontage to the satisfaction of the Public Works Department. Preliminary plans shall be provided to show that the proposed project, site design, utility connections, horizontal, and vertical controls will generally accommodate a future re-alignment of Elks Lane. The plan shall include public utility main extensions/relocations into the re-aligned street.
44. Prior to issuance of building permit the property owner shall dedicate an irrevocable offer of public rights of way for the realignment of Elks Lane, Prado Road widening and interchange/overpass, subject to approval of the Director of Public Works.
45. Prior to issuance of building permit the property owner/applicant shall enter into a covenant agreement for the construction of public improvements for the Elks lane realignment along the property frontage. These improvements shall include curb, gutter, street paving, water and sewer utilities, and all necessary appurtenances per City standards. These improvements may include the removal and/or adjustment of any conflicts such as interim driveways, parking lots, basins, and swales.
46. The building plan submittal shall include applicable vehicle turning path analyses for site access driveways-both interim driveways along the existing Elks Lane alignment, and ultimate driveways along the future realigned segment of Elks Lane.

Fire Department

47. Water Supplies shall be in accordance with Sections 507 of the CFC. An approved water supply capable of providing the required fire flow for fire protection is required. The fire flow shall be determined using Appendix B of the CFC. Show locations of any nearby existing public fire hydrants. In addition to the 2 proposed private hydrants, a public hydrant will be required on the future Elks Lane roadway, near the double detector check valve backflow preventer. Show this public hydrant on plans.

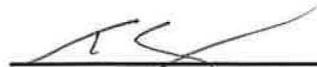
Indemnification

48. The applicant shall defend, indemnify and hold harmless the City and/or its agents, officers and employees from any claim, action or proceeding against the City and/or its agents, officers or employees to attack, set aside, void or annul, the approval by the City of this project, and all actions relating thereto, including but not limited to environmental review (“Indemnified Claims”). The City shall promptly notify the applicant of any Indemnified Claim upon being presented with the Indemnified Claim and the City shall fully cooperate in the defense against an Indemnified Claim.

On motion by Commissioner Jorgensen, seconded by Commissioner McKenzie, and on the following roll call vote:

AYES: Commissioners Jorgensen, McKenzie, Kahn, Vice Chair Dandekar, and Chair Wulkan
NOES: None
RECUSED: Commissioner Quincey
ABSENT: Commissioner Stevenson

The foregoing resolution was passed and adopted this 24th day of July, 2019.



Tyler Corey, Secretary
Planning Commission