**MEMORANDUM****TO: CITY COUNCIL****FROM: ROB STRONG, COMMUNITY DEVELOPMENT DIRECTOR****BY: C.H. KELLY HEFFERNON, ASSOCIATE PLANNER****SUBJECT: CONSIDERATION OF VESTING TENTATIVE TRACT MAP CASE NO. 04-004 & PLANNED UNIT DEVELOPMENT CASE NO. 04-001 FOR A REVISED PROPOSAL TO CONSTRUCT A COMMERCIAL RETAIL, OFFICE AND RESIDENTIAL DEVELOPMENT; APPLICANT – DB & M PROPERTIES, LLC; LOCATION – 415 EAST BRANCH STREET****DATE: SEPTEMBER 25, 2007****RECOMMENDATION:**

The Planning Commission recommends the City Council consider an addendum to a certified EIR and revised proposal for a commercial retail, office and residential project to be developed in the Village of Arroyo Grande (Creekside Mixed-Use Center).

FINANCIAL IMPACT:

No fiscal impact to the City.

BACKGROUND:

The project site is located at the east end of the Village and is bounded by East Branch Street, Crown Hill, Crown Terrace, Le Point Street and Tally Ho Creek. The property is roughly 2.7 acres in size, is generally flat except for the eastern portion where it slopes up dramatically to Crown Terrace, and is mostly located within the 100-year floodplain. Surrounding the site is residential development to the north and east, and commercial development to the south and west.

This project was originally submitted in 2001 as a conditional use permit and subdivision map to remove all existing structures and develop a mixed-use complex consisting of about 31,000 square feet of commercial space and 4,000 square feet of residential floor area. Through the environmental review process, it was determined that the main Loomis residence is eligible for listing with the State as a historic resource, and the grain warehouse serves as an important feature of the setting for the main house. Removal of these structures was therefore considered a significant unavoidable impact requiring overriding consideration findings in order to approve the project.

Besides retaining existing structures on the site, one important point to make between the original and revised project is that portions of the site have been sold, adding complexity to the land use entitlement process. The site was originally 3.5 acres in size, but the applicant later sold the 1-acre property to the west containing the existing office building and storage units. The portion of the original site sold provided the only access to East Branch Street. The

applicant additionally sold the property containing the warehouse and residences, although the new property owner, Mr. Brown, has agreed to participate in the permitting process for the proposed project. The applicant has since obtained an access easement to East Branch Street from the adjacent property owner (see Attachments 1 and 2 for the October 24, 2006 City Council staff report and Meeting Minutes for additional background information).

On November 14, 2006 the City Council denied, without prejudice, a proposed mixed-use project on the subject property consisting of twelve (12) duplexes, a 12,000 square foot commercial/office building and potential conversion of existing structures (the two residences and warehouse) to commercial uses. Council expressed the following concerns regarding the project:

- Inadequate public use and pedestrian amenities and orientation adjoining Tally Ho Creek and the historic resources located on the site to become an extension of the Village.
- Four (4) of the residential units proposed along Crown Terrace must back out into a narrow public street, conflicting with both pedestrian and automobile traffic and requiring removal of excessive numbers of existing trees that currently provide visual screening from Crown Hill residential uses.
- Portions of the setting to the rear of the historic resources on the project site are not protected or preserved.
- The height, mass, scale and design details of the proposed commercial/office building between the former Loomis warehouse and Crown Terrace is incompatible in height, mass, scale and design details with the adjoining residential neighborhood on Crown Hill and the on-site historic resources and setting.

The applicant has responded to issues raised and submitted revised plans. A summary of project changes is included as Attachment 3.

The Planning Commission considered the revised project on September 4, 2007 and discussed issues related to accurate flood elevations, intensity of street lights, traffic mitigation and street improvements, recognition of the historic rail bed, green building techniques, installation of bioswales, pedestrian path linkages and materials, number of bike racks, tree removal and transplanting, stormwater retention, footpath to the creek, size of residential units, and undergrounding of overhead utilities (see Attachment 4 for draft meeting minutes). On a 4:0 vote, the Planning Commission recommended approval of the project to City Council with the following changes to the conditions of approval:

1. Condition #54 should include an all-way stop.
2. There should be an agreement reached with Carol Fulmer regarding sidewalk improvements in front of her house located on northwest corner of Tally Ho and Crown Terrace.
3. Strike Conditions #8, 56, MM 4.3.29 (3rd bullet) and portions of MM 4.4 concerning removal of the rear loading dock of the warehouse.

4. Condition #10 should be more specific with respect to flooding and raising the storage cabinets in garages.
5. Condition #23, should include all sidewalks.
6. Condition #46 should state the minimum lighting required by the Police Department, and specify shielded lighting on shorter poles (not regular street lights).
7. Add a condition to protect Chameleon's business, regarding the parking and dust.
8. Condition #17, strike the requirement for the Planning Commission, but not the ARC.
9. MM 4.2.1, include non-potable water to be used whenever possible.
10. MM 4.3.13 should state the storage should be set outside the setback area, rather than determined by a qualified biologist.
11. MM 4.3.31, delete reference to footpath leading to the creek.
12. The pedestrian path should be made of decomposed granite (dg).

Add the following – not presently part of the conditions:

11. Bioswales, if the Department of Fish and Game and Army Corps of Engineers allow (add to Condition #59).
12. Historic markers to be reviewed by ARC.
13. Thinning or removal of the Cypress trees as necessary.
14. Have a path across the parking area to E. Branch Street for pedestrians even if it means losing a parking space.
15. Street trees every 50 feet.
16. Add more bike racks.

The above changes have been made to the conditions of approval (deleted text is shown as ~~strike through~~, and added text is underlined).

The proposed project is a tentative tract map to reconfigure 23 parcels into 19 parcels, and a mixed-use development consisting of sixteen (16) residential buildings in a detached townhouse configuration and a 12,937 square foot retail/office building at the corner of Crown Terrace and Crown Hill. The proposed 3-story commercial retail/office building has been revised to have a more agrarian architectural style, similar to the adjacent Loomis warehouse. All existing buildings are proposed to remain. Lot 14 is shown on the Tentative Tract Map (TTM) as an offer of dedication to the City for the purpose of protecting biological resources. Reciprocal access and parking easements are also shown on the TTM. A pedestrian path with recreational amenities (play structure, picnic benches, lawn area, bike racks) is located adjacent to Tally Ho Creek. The additional porch on the smaller existing residence will be removed to improve the site distance of the access driveway, and a new five foot (5') wide planter strip will be established (see sheet L1 of the project plans). The existing stone wall will be utilized to build a new raised planter. Embedded sections of track will be placed along the old railroad right of way (within planter areas) as a historic landmark.

There are three (3) plans proposed for the residential units as shown in the table below. Total residential units include sixteen (16) town homes and six (6) secondary units for a total of twenty-two (22) units. Two (2) of the units located adjacent to the commercial property are proposed to have a live/work option, whereby the downstairs bedroom could serve as a commercial office. Proposed colors and materials for all buildings are provided in the attached color board.

Residential Project Summary

	No. Stories	No. Bedrooms	Square Footage	Parking Required	Parking Proposed
Plan A (Buildings 1-8)	3	2-3 (bedroom/study option)	2,232 and 2,217	2 per unit within an enclosed garage and 0.5 guest parking (20 spaces)	2 per unit within an enclosed garage (16 spaces)
Plan B (Buildings 1-6)	2	2 with studio apartment above garage	2,223	2 per unit within an enclosed garage and 0.5 guest parking, plus 1 surface space per studio unit (21 spaces)	2 per unit within an enclosed garage, and 1 surface space per studio unit (18 spaces)
Plan B – Live/Work (Buildings 7,8)	2	2 with office	2,223	2 per unit within an enclosed garage, and 2 open spaces for office (8 spaces)	2 per unit within an enclosed garage, and 2 open spaces for office (8 spaces)
Total:				49	42
Deficit:				7 spaces	

ALTERNATIVES:

The following alternatives are presented for Council consideration:

- Adopt a resolution approving the project;
- Continue deliberation if unresolved issues are identified;
- Take tentative action to deny the project and direct staff to prepare the appropriate resolution for City Council action; or
- Provide other direction to staff.

ANALYSIS OF ISSUES:

Parking

Development Code parking requirements for the residential component is forty-nine (49) spaces and forty-two (42) are provided (deficit of 7). Parking is provided in a two-story garage structure (43 spaces required and 40 provided). Total parking deficit is ten (10) spaces for the entire project, or 11% less than Development Code requirements. The Development Code allows for a 20% parking reduction for mixed-use projects. Therefore, parking is considered adequate.

Height and Setbacks

No structures within the development will exceed the maximum height of thirty-five feet (35'), measured as the "vertical distance from the grade average finished ground level to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the highest point of the highest gable of a pitch or hip roof, but exclusive of vents, air conditioners, chimneys, or other such incidental appurtenances" (Development Code Section 16.04.070). Setbacks for the Village Mixed Use (VMU) district vary from 0-15 feet (larger setbacks for mixed-use projects and/or

projects abutting residential districts – see table below). Deviations from setback requirements and lot sizes can be made through the Planned Unit Development process.

Affordable Housing

Because the project was vested under the previous Housing Element, the inclusionary affordable housing requirement is ten percent (10%). With twenty-two (22) units, the affordable housing requirement is a restriction of 2.2 units to the moderate -income category. Two (2) units shall be deed restricted and the 0.2 fraction of a unit will be paid in affordable housing in-lieu fees.

Table 16.36.020(D)
Village Mixed Use (VMU)
Minimum Site Development Standards

1. Maximum Density Mixed Use Projects	15 dwelling units per gross acre.
2. Minimum Lot Size	5,000 square feet.
3. Minimum Lot Width	40 feet.
4. Front Yard Setback	0 -- 15 feet.
5. Rear Yard Setback	0 -- 15 feet. If project is mixed use and/or abuts a residential district then 10 feet required.
6. Side Yard Setback	0 feet unless a project is mixed use and/or abuts a residential district, then 5 feet is required for single story structures and 10 feet is required, on one side, for a multiple stories.
7. Street Side Yard Setback	0 -- 15 feet.
8. Building Size Limits	Maximum height is 30 feet or three stories, whichever is less; a maximum of 36 feet is allowable through the MUP process. Maximum Building Size is 10,000 square feet.
9. Site Coverage Floor Area Ratio of 1:0	Maximum coverage of site is 100%. Maximum Floor Area Ratio is 1:0. See design Guidelines and Standards for Historic Districts.
10. Site Design	See Design Guidelines and Standards for Historic Districts.
11. Off-Street Parking and Loading	See Parking VMU and HCO combining district in Section 16.56.020(C).
12. Signs	See Chapter 16.60 and Design Guidelines and Standards for Historic Districts.

Site Access

An earlier version of the project identified one access to the proposed commercial buildings from Crown Hill, which was determined inadequate and therefore mitigation was required. This became an issue after the City certified the Final EIR and the applicant sold the adjacent property to the west, eliminating the only direct access to the project site from East Branch Street. Because this particular access issue had not been previously studied, and because of the anticipated conflict between Paulding Middle School traffic and left-hand turn movements into the project during the school PM peak hour, a condition was added that required: 1) a reciprocal access agreement to be recorded between the project site and the adjacent property to the west; and 2) to divide the project into two phases, whereby development of the commercial component of the project (Phase II) would be contingent upon a successfully negotiated access agreement between these two adjoining properties.

Since then, the applicant has secured an access agreement from the adjacent property owner to the west, significantly improving access and site circulation. Residential access will be predominantly from Le Point Street, although residential access is also provided through the commercial development from Crown Hill and East Branch Street. Note that the project has been modified to eliminate residential access from Crown Terrace, although access to parking for the commercial building is still proposed from both the ground level and Crown Terrace. Different from the previous submittal, parking for the commercial building is all covered.

Pedestrian access is provided throughout the site. A sidewalk is required along the west side of Crown Terrace, and a portion of the south side of Le Point Street. A six-foot (6') wide pedestrian path made of concrete or sealed decomposed granite is proposed along the creek area, which indirectly connects to East Branch Street.

Stop Signs

A Stop Sign Warrant Analysis was conducted for the intersection of Le Point Street and Crown Terrace, which concludes that the traffic volumes, delays and speeds at this intersection do not warrant an all-way stop, or a partial (two-way) stop. Staff believes that other criteria, besides that contained in the Caltrans Traffic Manual, apply to this intersection that requires the installation of a multi-way stop configuration with crosswalks as follows:

- ◆ Since the project will provide a new pedestrian sidewalk on the west side of Crown Terrace, pedestrians must be able to safely access the existing crosswalk on the north side of Le Point Street east of the intersection. In accordance with the requirements of Municipal Code Section 6-02.12, crosswalks shall be installed on the west and northern legs of the intersection to discourage pedestrians from crossing Crown Terrace on the south side of the intersection. The City will not allow crosswalks to be installed at uncontrolled intersections.
- ◆ There are also considerations for traffic circulation due to the offset geometry of Crown Terrace entering Le Point Street. The centerlines of the northern and southern legs of Crown Terrace are offset by approximately 50 feet. The Caltrans Highway Design Manual Section 403.3 also discourages roadways entering intersections at an angle skewed more than 30°. The current configuration of the northbound lane of Crown Terrace enters the intersection at an approximate 50° angle. The northbound lane must be reconfigured to enter the intersection at a 90° angle. This will enable northbound traffic to better negotiate the left turn onto westbound Le Point Street.
- ◆ The steep grade of eastbound Le Point Street and the inadequate corner sight distance of northbound Crown Terrace onto Le Point Street qualify as "Undesirable Geometric Features" for intersections in accordance with Caltrans Highway Design Manual Section 402.2. An all-way stop would greatly improve the safety of this intersection.

Tree Removal

Based on a previous arborist report prepared for the site, approximately eighty-five (85) trees are located on the property, all of which are proposed to be removed (see Attachment 8 of Attachment

1). The majority of these trees are Cypress (70 total), located along the Crown Terrace right-of-way. Because their root systems are intermingled and located on a steep slope, it would very difficult to transplant these trees. If the Planning Commission does not wish to remove the Cypress trees, it is expected that street improvements within the right of way (including sidewalk) could be accomplished with retention of these trees (with some thinning). The report recommends that the two (2) Coast live oak trees and the Canary Island date palm are good candidates for successful transplanting. The project is conditioned to transplant these trees to a suitable location on or off-site.

Drainage

The majority of the project site is within the 100-year floodplain. The project was originally continued from the August 21st Planning Commission meeting to September 4, 2007 based on questions related to flood plane elevations. The applicant has submitted additional information regarding the flood plane analysis, which has resulted in changes to the site grading, including raising finished floor heights of the buildings by roughly 2 inches. All structures will be built above the floodplain, with finished floors elevated one foot (1') above the 100-year flood level.

Historical Preservation

As stated above, the FEIR determined that the main Loomis residence would be eligible for listing in the California Register as a historical resource, and that the grain warehouse serves as an important feature of the setting of the main house. The secondary house was not determined to be a historical resource. As proposed, all existing structures are proposed to remain. The previous submittal included removal of the rear loading dock of the warehouse, which is not part of the current proposal. The proposal does include removing the shed structure located at the rear of the secondary house to provide improved site distance and allow for landscaping to break up the large expanse of asphalt. The existing garden wall will be removed to provide adequate access and parking. However, the stones of the garden wall will be reused within the project.

ADVANTAGES:

As proposed, the project will:

- Provide housing to meet the City's housing needs;
- Provide affordable housing;
- Preserve historical buildings on the site;
- Provide economic development and generate tax increment revenue in the Redevelopment Area; and
- Significantly improve a blighted property.

DISADVANTAGES:

Staff believes most issues have been addressed. The project will continue to remove a large number of trees and additional traffic will be generated by the project.

ENVIRONMENTAL REVIEW:

The Final Environmental Impact Report (FEIR) was certified in September of 2003, and the applicant has submitted a revised project that retains all structures. Per the California Environmental Quality Act (CEQA), the Lead Agency (the City) shall prepare an addendum to an EIR only if minor technical changes or additions are necessary to make the EIR document

adequate, and the changes addressed in the addendum do not raise important new issues about the significant effects on the environment. The addendum must be considered by the Council prior to making a decision on the project. The Addendum to the FEIR is included as Exhibit C to the attached Resolution, and the Mitigation Monitoring Program is included as Exhibit D.

PUBLIC NOTIFICATION AND COMMENTS:

Public hearing notices were originally sent to all property owners within 300 feet of the proposed project and a public notice was placed in the Tribune. Additionally, the applicant invited neighboring property owners and business tenants to preview the design revisions at a special presentation prior to Planning Commission public hearing. Staff has not received any written comments since the notice was sent to neighbors and published. Included as Attachment 5 are letters received for the Planning Commission meeting.

Attachments:

1. Staff Report for the October 24, 2006 City Council Meeting (less attachments No. 12-14, 16)
2. Meeting Minutes from the October 24, 2006 City Council Meeting
3. Summary of Project Changes
4. Draft Planning Commission Meeting Minutes of September 4, 2007
5. Letters received for the Planning Commission meeting

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE TO CONSIDER AN ADDENDUM TO THE PREVIOUSLY CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROJECT, ADOPT A MITIGATION MONITORING PROGRAM, INSTRUCT THE DIRECTOR OF ADMINISTRATIVE SERVICES TO FILE A NOTICE OF DETERMINATION, AND APPROVE VESTING TENTATIVE TRACT MAP CASE NO. 04-004 AND PLANNED UNIT DEVELOPMENT CASE NO. 04-001, LOCATED AT 415 EAST BRANCH STREET, APPLIED FOR BY DB & M PROPERTY, LLC

WHEREAS, the City Council of the City of Arroyo Grande adopted Resolution No. 3710 on September 23, 2003 certifying the Final Environmental Impact Report (FEIR) for the Creekside Center project (Vesting Tentative Tract Map 01-002 and Conditional Use Permit 01-001); and

WHEREAS, the City Council considered Vesting Tentative Tract Map 04-004 and Planned Unit Development 04-001, filed by DB & M Property, LLC, to reconfigure 23 existing parcels into 19 parcels, and construct a mixed-use development consisting of 16 residential buildings in a detached townhouse configuration and a 12,937 square foot retail/office building at the corner of Crown Terrace and Crown Hill; and

WHEREAS, the City Council has held a duly-noticed public hearing on these applications in accordance with the Development Code of the City of Arroyo Grande; and

WHEREAS, the City Council denied, without prejudice, these applications on November 14, 2006; and

WHEREAS, the City Council has held a duly-noticed public hearing on a revised project that addresses previous City Council concerns; and

WHEREAS, the City Council has determined that the proposed project is consistent with the Design Guidelines and Standards for Historic Districts.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Arroyo Grande as follows:

1. The City Council hereby finds and determines that the implementation of the project may have a significant effect on the environment.
2. The City Council hereby finds with respect to the adverse environmental impacts detailed in the Final EIR:
 - a. That, based on information set forth in the Final Program EIR for the 2001 General Plan Update (FPEIR) and the Final EIR and Addendum for the Creekside Center (FEIR), water conservation mitigation measures have been incorporated into the project that will avoid or substantially lessen the adverse environmental impact on water supply identified in the FPEIR and FEIR; and

- b. that no additional adverse impacts will have a significant effect or result in a substantial or potentially substantial adverse change in the environment as a result of project approval; and
 - c. that all significant environmental effects identified in the FEIR have been reduced to an acceptable level in that all significant environmental effects that can feasibly be avoided have been eliminated or substantially reduced as determined through the findings set forth in this Resolution; and
3. The City Council authorizes and directs that the Director of Administrative Services file a Notice of Determination with respect to the Final EIR and Addendum for the project, specifically referencing therein that mitigation measures have been made a condition of project approval and findings have been made pursuant to Section 15091 of the CEQA Guidelines (see Exhibit C for Environmental Impact Report Addendum and Exhibit D for Mitigation Monitoring Program).

BE IT FURTHER RESOLVED that the City Council of the City of Arroyo Grande hereby approves Vesting Tentative Map 04-004 and Planned Unit Development 04-001 based on the following findings:

Tentative Tract Map Findings:

- 1. The proposed tentative tract map is consistent with the goals, objectives, policies, plans, programs, intent, and requirements of the General Plan map and text and the requirements of the Development Code.
- 3. The site, as shown on the tentative tract map, is physically suitable for the proposed residential density commercial development and because all necessary easements, parking, open space, and setbacks can be provided.
- 4. The design of the tentative tract map or the proposed improvements are not likely to cause substantial damage to the natural environment, including fish, wildlife or their habitat.
- 5. The design of the subdivision or proposed improvements is not likely to cause public health problems.
- 6. The design of the tentative tract map or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of, property within the proposed tentative tract map or that alternate easements for access or for use will be provided, and that these alternative easements will be substantially equivalent to ones previously acquired by the public.
- 7. The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements a prescribed in Division 7 (commencing with Section 13000) of the California Water Code.

RESOLUTION NO.
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8. Adequate public services and facilities exist or will be provided as the result of the proposed tentative tract map to support project development.

Planned Unit Development Permit Findings:

1. The proposed development is consistent with the goals, objectives, and programs of the Arroyo Grande General Plan.
2. The site for the proposed development is adequate in size and shape to accommodate said use and all yards, open spaces, setbacks, walls and fences, parking areas, landscaping, and other features required by the Development Code.
3. The site for the proposed development has adequate access, meaning that the site design and development plan conditions consider the limitations of existing streets and highways.
4. Adequate public services exist, or will be provided in accordance with the conditions of the development plan approval, to serve the proposed development; and that the approval of the proposed development will not result in a reduction of public services to properties in the vicinity so as to be a detriment to public health, safety, and welfare.
5. The proposed development, as conditioned, will not have a substantial adverse effect on surrounding property, or the permitted use thereof, and will be compatible with the existing multiple-family and single-family residential uses in the surrounding area.
6. The improvements required, and the manner of development, adequately address all natural and man-made hazards associated with the proposed development of the project site, including, but not limited to, flood, seismic, fire and slope hazards.
7. The proposed development carries out the intent of the Planned Unit Development Provisions by providing a more efficient use of the land and an excellence of design greater than that which could be achieved through the application of conventional development standards.
8. The proposed development complies with all applicable performance standards listed in Development Code Section 16.32.050.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Arroyo Grande hereby considers an Addendum to the certified Final Environmental Impact Report for the Creekside Center project, instructs the Director of Administrative Services to file a Notice of Determination, and approves Vesting Tentative Tract Map No. 04-004 and Planned Unit Development 04-001, based upon the above findings and subject to the conditions as set forth in Exhibit "A", attached hereto and incorporated herein by this reference.

On motion by Council Member _____, seconded by Council Member _____,
and by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

the foregoing Resolution was adopted this _____ day of _____ 2007.

TONY FERRARA, MAYOR

ATTEST:

KELLY WETMORE, DIRECTOR OF ADMINISTRATIVE SERVICES/
CITY CLERK

APPROVED AS TO CONTENT:

STEVEN ADAMS, CITY MANAGER

APPROVED AS TO FORM:

TIMOTHY J. CARMEL, CITY ATTORNEY

**EXHIBIT A
CONDITIONS OF APPROVAL
VESTING TENTATIVE TRACT MAP 04-004 and
PLANNED UNIT DEVELOPMENT 04-001
DB & M Property, LLC
415 East Branch Street**

COMMUNITY DEVELOPMENT DEPARTMENT

GENERAL CONDITIONS

This approval authorizes the reconfiguration of twenty-three (23) existing lots into nineteen (19) lots for a 2.78-acre property, and construction of a mixed-use development consisting of 16 residential buildings (22 units total), a 12,937 square foot commercial/office building, and retention of existing structures.

1. The applicant shall ascertain and comply with all Federal, State, County and City requirements as are applicable to this project.
2. The applicant shall comply with all conditions of approval for Vesting Tentative Tract Map 04-004 and Planned Unit Development 04-001.
3. This tentative map and PUD approval shall automatically expire on September 25, 2009 unless the final map is recorded or an extension is granted pursuant to Section 16.12.140 of the Development Code.
4. Development shall occur in substantial conformance with the plans presented to the City Council at the meeting of September 25, 2007 and marked Exhibits B1-B13 (on file in the Community Development Department), except as modified by these conditions of approval.
5. The applicant shall, as a condition of approval of this tentative map application, defend, indemnify and hold harmless the City of Arroyo Grande, its present or former agents, officers and employees from any claim, action, or proceeding against the City, its past or present agents, officers, or employees to attack, set aside, void, or annul City's approval of this subdivision, which action is brought within the time period provided for by law. This condition is subject to the provisions of Government Code Section 66474.9, which are incorporated by reference herein as though set forth in full.

SPECIAL CONDITIONS

6. Consistent with MM 4.3.30, an open space agreement and twenty-five foot (25') creek easement measured from top of bank shall be recorded on the property. No development shall occur within 25' creek setback area. A trail easement shall also be recorded within the creek setback area. A homeowners association shall be responsible for maintaining the creek easement area.

7. The applicant shall provide two (2) on-site affordably restricted housing units to be sold to moderate-income qualified families. **Prior to recording the final map** the applicant shall enter into an agreement, in a form approved by the City Attorney, whereby the applicant agrees on behalf of itself and its successors in interest to maintain the affordability of the units for thirty (30) years or longer, as well as other terms and conditions determined to be necessary to implement this condition.

~~8. There shall be a "look back" provision to reassess whether a gate is necessary between the commercial and residential uses after one year. Adequate space shall be left if it is determined that a gate is necessary at a later date.~~

~~9.8.~~ The two (2) Coast Live Oak trees and the Canary Island Date Palm shall be transplanted ~~at to~~ a suitable location on or off-site, as recommended by the arborist report prepared by Carolyn Leach dated September 1, 2006.

~~10.9.~~ Storage cabinets within the garages shall be elevated to reduce the risk of damage during a flood event, as determined by a flood study.

NOISE

~~11.10.~~ Construction activities shall be restricted to the hours of 8:00 AM to 5:00 PM Monday through Friday. There shall be no construction activities on Saturday or Sunday.

DEVELOPMENT CODE

~~12.11.~~ Development shall conform to the Village Mixed Use (VMU) zoning requirements except as otherwise approved.

~~13.12.~~ All fences and/or walls shall not exceed six feet (6') in height unless otherwise approved with a Minor Exception or Variance application.

~~14.13.~~ The developer shall comply with Development Code Chapter 16.20, "Land Divisions".

~~15.14.~~ The developer shall comply with Development Code Chapter 16.64, "Dedications, Fees and Reservations."

PRIOR TO ISSUANCE OF GRADING PERMIT

~~16.15.~~ All walls, including screening and retaining walls, shall be compatible with the approved architecture and Development Code Standards, and shall be no more than 3 feet in height in the front setback area, subject to the review and approval of the Community Development Director.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

~~17.16.~~ The Architectural Review Committee (ARC) and Planning Commission shall review and approve the final architectural drawings, including exterior building colors and materials, final landscape plan, and Crown Terrace guardrail design placed on top of required retaining walls, and historic markers.

~~18.17.~~ The applicant shall obtain approval for a Planned Sign Program consistent with the Development Code and the Design Guidelines and Standards for Historic Districts.

PRIOR TO RECORDING THE FINAL MAP

~~19.18.~~ A landscaping and irrigation plan shall be prepared by a licensed landscape architect subject to review and approval by the Community Development and Parks and Recreation Departments. The landscaping plan shall include the following for all public street frontages and common landscaped areas:

- a. Tree staking, soil preparation and planting detail;
- b. The use of landscaping to screen ground-mounted utility and mechanical equipment;
- c. The required landscaping and improvements. This includes:
 - (1) Deep root planters shall be included in areas where trees are within five feet (5') of asphalt or concrete surfaces and curbs;
 - (2) Water conservation practices including the use of low flow heads, drip irrigation, mulch, gravel, drought tolerant plants and mulches shall be incorporated into the landscaping plan; and
 - (3) All slopes 2:1 or greater shall have jute mesh, nylon mesh or equivalent material.
 - (4) An automated irrigation system.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

~~20.19.~~ All fencing shall be installed.

~~21.20.~~ The applicant shall submit final Covenants, Conditions and Restrictions (CC&Rs) that are administered by a subdivision homeowners' association and formed by the applicant for common areas within the subdivision. The CC&Rs shall be reviewed and approved by the City Attorney and recorded with the final map.

PARKS AND RECREATION DEPARTMENT CONDITIONS

~~22.21.~~ The applicant shall comply with the provisions of Ordinance 521 C.S., the Community Tree Ordinance.

~~23.22.~~ Linear root barriers shall be used ~~at the front of the~~ throughout the project to protect all sidewalks.

~~24-23.~~ All street front trees shall be 24-inch box and shall be located a minimum of one (1) tree for every ~~seventy-five~~ fifty feet (50/75') of street frontage. ~~The existing Cypress trees along Crown Terrace shall be thinned or removed, as determined to be necessary by an arborist study.~~

BUILDING AND FIRE DEPARTMENT CONDITIONS

~~25-24.~~ The project shall comply with the most recent editions of the California State Fire and Building Codes and the Uniform Building and Fire Codes as adopted by the City of Arroyo Grande.

~~26-25.~~ The project shall comply with State and Federal disabled access requirements at public areas.

~~27-26.~~ The applicant shall show all setback areas for each lot on the tentative tract map **prior to map recordation.**

FIRE LANES

~~28-27.~~ **Prior to issuance of a certificate of occupancy**, all fire lanes must be posted and enforced, per Police Department and Fire Department guidelines.

FIRE FLOW/FIRE HYDRANTS

~~29-28.~~ Project shall have a fire flow based on the California Fire Code appendix III-A.

~~30-29.~~ **Prior to bringing combustibles on site**, fire hydrants shall be installed, and be operational per Fire Department and Public Works Department standards. Add an additional hydrant in the dead end street portion on the west side of lots 6 & 7.

~~31-30.~~ **Prior to occupancy**, the applicant must provide an approved "security key vault", per Building and Fire Department guidelines.

FIRE SPRINKLER

~~32-31.~~ **Prior to occupancy**, all buildings must be fully sprinklered per National Fire Protection Association Standards.

ABANDONMENT/NON-CONFORMING

~~33-32.~~ **Prior to issuance of a grading permit or building permit**, whichever occurs first, the applicant shall show proof of properly abandoning all non-conforming items such as septic tanks, wells, underground piping and other undesirable conditions.

OTHER APPROVALS

~~34.33.~~ **Prior to issuance of a building permit**, County Health Department approval is required for well abandonment if applicable.

~~35.34.~~ Project must comply with Federal and local flood management policies.

~~36.35.~~ Any review costs generated by outside consultants, shall be paid by the applicant.

SPECIAL CONDITION(S)

~~37.36.~~ The applicant shall provide entrance directories, with addresses for Fire & Emergency responders, including private street names.

PUBLIC WORKS DEPARTMENT CONDITIONS

All Public Works Department conditions of approval as listed below are to be complied with prior to recording the map or finalizing the permit, unless specifically noted otherwise.

~~38.37.~~ **Fees** - The applicant shall pay all applicable City fees at the time they are due. *(For your information, the "Procedure for Protesting Fees, Dedications, Reservations or Exactions" is provided below).*

~~39.38.~~ Fees to be paid prior to plan approval:

- a. Map check fee.
- b. Plan check for grading plans based on an approved earthwork estimate.
- c. Plan check for improvement plans based on an approved construction cost estimate.
- d. Permit Fee for grading plans based on an approved earthwork estimate.
- e. Inspection fee of subdivision or public works construction plans based on an approved construction cost estimate.

PROCEDURE FOR PROTESTING FEES, DEDICATIONS, RESERVATIONS OR EXACTIONS:

(A) Any party may protest the imposition of any fees, dedications, reservations, or other exactions imposed on a development project, for the purpose of defraying all or a portion of the cost of public facilities related to the development project by meeting both of the following requirements:

- (1) Tendering any required payment in full or providing satisfactory evidence of arrangements to pay the fee when due or ensure performance of the conditions necessary to meet the requirements of the imposition.
- (2) Serving written notice on the City Council, which notice shall contain all of the following information:

- (a) A statement that the required payment is tendered or will be tendered when due, or that any conditions which have been imposed are provided for or satisfied, under protest.
 - (b) A statement informing the City Council of the factual elements of the dispute and the legal theory forming the basis for the protest.
- (B) A protest filed pursuant to subdivision (A) shall be filed at the time of the approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project.
- (C) Any party who files a protest pursuant to subdivision (A) may file an action to attack, review, set aside, void, or annul the imposition of the fees, dedications reservations, or other exactions imposed on a development project by a local agency within 180 days after the delivery of the notice.
- (D) Approval or conditional approval of a development occurs, for the purposes of this section, when the tentative map, tentative parcel map, or parcel map is approved or conditionally approved or when the parcel map is recorded if a tentative map or tentative parcel map is not required.
- (E) The imposition of fees, dedications, reservations, or other exactions occurs, for the purposes of this section, when they are imposed or levied on a specific development.

SPECIAL CONDITIONS

- ~~40-39.~~ Replace the existing 4" water main underneath Crown Terrace with an 8" main. |
Replace all services that are not to be abandoned.
- ~~41-40.~~ Replace the short section of 4" main underneath Le Point Street to connect to |
the 6" main underneath the northern section of Crown Terrace.
- ~~42-41.~~ Replace the section of 4" main underneath Le Point Street between Corbett |
Canyon/Highway 227 and McKinley Street.
- ~~43-42.~~ Extend an 8" main through the site to connect to the main underneath Le Point |
and Crown Hill.
- ~~44-43.~~ The applicant shall make all necessary welded connections to the steel sanitary |
sewer main and slip line the main and welded stub laterals.
- ~~45-44.~~ Pay a proportionate share to the Fair Oaks Sewer Main Upgrade. |

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- ~~46.45.~~ Install decorative streetlights along Crown Hill and Crown Terrace to match existing light standards in the village along East Branch Street. The minimum lighting required by the Police Department shall be used. All street lights shall be shielded to direct light downwards, and shall be shorter than standard street lights. The ARC shall review the final lighting plan.
- ~~46.~~ Parking for existing businesses on the site shall not be blocked during construction.
- ~~47.~~ Dust shall be controlled on site during construction.
- ~~48.~~ The pedestrian path adjacent to the creek shall be made of decomposed granite (dg).
- ~~49.~~ Distinctive marking, such as stamped concrete, shall be used to indicate a pedestrian path across the parking area that links the pedestrian path adjacent to the creek to East Branch Street.
- ~~50.~~ A bike rack containing six (6) bicycle spaces shall be installed in both the residential and commercial components of the project for a total of twelve (12) bicycle spaces.
- ~~47.51.~~ Underground all existing overhead utilities, more specifically the following poles and associated overhead lines, shown graphically in Exhibit A:
- Pole 2197, near the dead end of Le Point Street,
 - Pole 440, at the corner of Le Point and Crown Terrace,
 - Pole 524, at the corner of Crown Hill and Crown Terrace,
 - Pole 139, along Crown Terrace,
 - Unknown Pole Number, along Crown Terrace,
- ~~48.52.~~ Construct Le Point Street adjacent to the northern project boundary to the following design standards:
- 40 feet street width from curb to curb,
 - 6 feet wide concrete sidewalks on the project side with concrete curb and gutter on both sides of the street.
 - 25 mile per hour design speed.
 - TI of 6.5.
- ~~49.53.~~ Construct Crown Terrace adjacent to the eastern project boundary to the following design standards:
- 24 feet street width from curb to curb,
 - 6 feet wide concrete sidewalks with concrete curb and gutter on the west side of the street,
 - "No Parking" both sides of the street,
 - 25 mile per hour design speed,
 - TI of 6.5

- ~~50-54.~~ Remove and replace any broken curb, gutter and sidewalk along Crown Hill and East Branch Street.
- ~~51-55.~~ Install a pedestrian ramp at the corner of Crown Hill and East Branch.
- ~~52-56.~~ Overlay Crown Terrace with 1 ½" asphalt concrete. Grind the perimeter of the overlay to facilitate matching to existing grades.
- ~~53-57.~~ Complete the half of the cross gutter and spandrel at the northwest corner of Le Point and Crown Terrace.
- ~~54-58.~~ Analyze the intersection of Crown Terrace and Le Point Street for traffic control improvements and install an all-way stop, and any such other improvements as are deemed necessary by the Director of Public Works.
- ~~55-59.~~ The residential portion of the project shall have primary access from Le Point Street.
- ~~56.~~ ~~Gates or bollards shall separate the residential portion from the commercial portion of the project.~~
- ~~57-60.~~ Upgrade the storm drain system along Le Point to City Standards, complete with fossil filters.
- ~~58-61.~~ Remove and replace the drop inlet along the property frontage of Crown Hill with a new City standard drop inlet.
- ~~59-62.~~ Project site drainage shall drain directly to the creek. Site drainage shall be filtered prior to entering the creek. Energy dissipation shall be provided for at the creek outfall. Bioswales shall be used where appropriate, as approved by the California Department of Fish and Game and the U.S. Army Corps of Engineers.

GENERAL CONDITIONS

- ~~60-63.~~ Clean all streets, curbs, gutters and sidewalks at the end of the day's operations or as directed by the Director of Community Development or the Director of Public Works.
- ~~61-64.~~ Perform construction activities requiring City inspection during normal business hours (Monday through Friday, 7 A.M. to 5 P.M. excluding City holidays) for inspection purposes.
- ~~62-65.~~ Prior to placing the final map on the City Council Agenda, the following items shall be submitted and approved:
- a. Final map signed.
 - b. Improvement Securities.
 - c. Fees paid.

- d. Inspection agreement signed.
- e. Subdivision improvement agreement signed.
- f. Tax certificate.
- g. Project CC&R's or maintenance agreements.

IMPROVEMENT PLANS

~~63-66.~~ All project improvements shall be designed and constructed in accordance with the City of Arroyo Grande Standard Drawings and Specifications.

~~64-67.~~ Submit four (4) full-size paper copies and one (1) full-size mylar copy of approved improvement plans for inspection purposes during construction.

~~65-68.~~ Submit as-built plans at the completion of the project or improvements as directed by the Director of Public Works. One (1) set of mylar prints and an electronic version on CD in AutoCAD format shall be required.

~~66-69.~~ The following Improvement plans shall be prepared by a registered Civil Engineer and approved by the Public Works Department:

- a. Grading, drainage and erosion control.
- b. Street paving, curb, gutter and sidewalk.
- c. Public utilities.
- d. Water and sewer.
- e. Landscaping and irrigation.
- f. Any other improvements as required by the Director of Public Works.

~~67-70.~~ The site plan shall include the following:

- a. The location and size of all existing and proposed water, sewer, and storm drainage facilities within the project site and abutting streets or alleys.
- b. The location, quantity and size of all existing and proposed sewer laterals.
- c. The location, size and orientation of all trash enclosures.
- d. All existing and proposed parcel lines and easements crossing the property.
- e. The location and dimension of all existing and proposed paved areas.
- g. The location of all existing and proposed public or private utilities.

~~68-71.~~ Improvement plans shall include plan and profile of existing and proposed streets, utilities and retaining walls.

~~69-72.~~ Any landscape and irrigation within the public right of way require plans that shall be approved by the Public Works, Community Development and Parks and Recreation Departments.

WATER

~~70-73.~~ Whenever possible, all water mains shall be looped to prevent dead ends. The Director of Public Works must grant permission to dead end water mains.

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~~71-74.~~ Construction water is available at the corporate yard. The City of Arroyo Grande does not allow the use of hydrant meters.

~~72-75.~~ Each parcel shall have separate water meters. Duplex service lines shall be used if feasible.

~~73-76.~~ Lots using fire sprinklers shall have individual service connections. If the units are to be fire sprinkled, a fire sprinkler engineer shall determine the size of the water meters.

~~74-77.~~ Existing water services to be abandoned shall be properly abandoned and capped at the main per the requirements of the Director of Public Works.

~~75-78.~~ The applicant shall complete measures to neutralize the estimated increase in water demand created by the project by either:

- a. Implement an individual water program consisting of retrofitting existing high-flow plumbing fixtures with low flow devices. The calculations shall be submitted to the Director of Public Works for review and approval. The proposed individual water program shall be submitted to the City Council for approval prior to implementation; OR,
- b. The applicant may pay an in lieu fee of \$2,200 for each new residential unit.

~~76-79.~~ Install fire hydrants to Public Works and Building and Fire Department requirements.

SEWER

~~77-80.~~ Each parcel shall be provided a separate sewer lateral.

~~78-81.~~ All sewer laterals must connect to City sewer mains.

~~79-82.~~ All new sewer mains must be a minimum diameter of 8".

~~80-83.~~ All sewer laterals within the public right of way must have a minimum slope of 2%.

~~81-84.~~ All sewer mains or laterals crossing or parallel to public water facilities shall be constructed in accordance with California State Health Agency standards.

~~82-85.~~ Existing sewer laterals to be abandoned shall be properly abandoned and capped at the main per the requirements of the Director of Public Works.

~~83-86.~~ Sewer laterals must connect to City sewer mains.

~~84-87.~~ Obtain approval from the South County Sanitation District for the development's impact to District facilities.

PUBLIC UTILITIES

~~85-88~~ Underground all new public utilities in accordance with Section 16.68.050 of the Development Code.

~~86-89~~ Under ground all existing overhead public utilities on-site and in the street in accordance with Section 16.68.050 of the Development Code.

~~87-90~~ Underground improvements shall be installed prior to street paving.

~~88-91~~ Submit all improvement plans to the public utility companies for approval and comment. Utility comments shall be forwarded to the Director of Public Works for approval.

~~89-92~~ Submit the Final Map shall to the public utility companies for review and comment. Utility comments shall be forwarded to the Director of Public Works for approval.

~~90-93~~ Prior to approving any building permit within the project for occupancy, all public utilities shall be operational.

~~91-94~~ All public utility plans shall be submitted to the Director of Public Works for review and comments.

STREETS

~~92-95~~ Obtain approval from the Director of Public Works prior to excavating in any street recently over-laid or slurry sealed. The Director of Public Works shall approve the method of repair of any such trenches, but shall not be limited to an overlay, slurry seal, or fog seal.

~~93-96~~ All trenching in City streets shall utilize saw cutting. Any over cuts shall be cleaned and filled with epoxy.

~~94-97~~ All street repairs shall be constructed to City standards.

~~95-98~~ Street structural sections shall be determined by an R-Value soil test and TI, but shall not be less than 3" of asphalt and 6" of Class II AB.

~~96-99~~ Overlay, slurry seal, or fog seal any roads dedicated to the City prior to acceptance by the City may be required as directed by the Director of Public Works.

CURB, GUTTER, AND SIDEWALK

~~97-100~~ Utilize saw cuts for all repairs made in curb, gutter, and sidewalk.

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~~98-101.~~____ Install tree wells for all trees planted adjacent to curb, gutter and sidewalk to prevent damage due to root growth.

GRADING

~~99-102.~~____ Perform all grading in conformance with the City Grading Ordinance.

~~100-103.~~____ Submit a preliminary soils report prepared by a registered Civil Engineer and supported by adequate test borings. All earthwork design and grading shall be performed in accordance with the approved soils report.

~~101-104.~~____ Submit all retaining wall calculations for review and approval by the Director of Public Works for walls not constructed per City standards.

DRAINAGE

~~102-105.~~____ All drainage facilities shall be designed to accommodate a 100-year storm flow.

~~103-106.~~____ All drainage facilities shall be in accordance with the Drainage Master Plan.

~~104-107.~~____ The project is in Drainage Zone "B" and will require runoff to be directed to the creek.

~~105-108.~~____ Submit detailed drainage calculations for review and approval by the Director of Public Works.

DEDICATIONS AND EASEMENTS

~~106-109.~~____ All easements, abandonments, or similar documents to be recorded as a document separate from a map, shall be prepared by the applicant on 8 1/2 x 11 City standard forms, and shall include legal descriptions, sketches, closure calculations, and a current preliminary title report. The applicant shall be responsible for all required fees, including any additional required City processing.

~~107-110.~~____ Abandonment of public streets and public easements shall be listed on the final map of parcel map, in accordance with Section 66499.20 of the Subdivision Map Act.

~~108-111.~~____ Street tree planting and maintenance easements shall be dedicated adjacent to all street right of ways. Street tree easements shall be a minimum of 10 feet beyond the right of way, except that street tree easements shall exclude the area covered by public utility easements.

~~109-112.~~____ A Public Utility Easement (PUE) shall be dedicated a minimum 6 feet wide adjacent to all street right of ways. The PUE shall be wider where necessary for

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the installation or maintenance of the public utility vaults, pads, or similar facilities.

~~110-113.~~ A Public Utility Easement (PUE) shall be dedicated over the private driveway for the residential portion.

~~111-114.~~ Easements shall be dedicated to the public on the map, or other separate document approved by the City, for the following:

- Sewer easement over the existing sewer main. The existing easement is to the County of San Luis Obispo, but the City owns a portion of the main. The easement shall be a minimum of 15 feet wide.
- Water easements where shown on the tentative map. The easements shall be a minimum of 15 feet wide.

~~112-115.~~ Private easements shall be reserved on the map, or other separate document approved by the City, for private sewer and water service.

PERMITS

~~113-116.~~ Obtain an encroachment permit prior to performing any of the following:

- a. Performing work in the City right of way.
- b. Staging work in the City right of way.
- c. Stockpiling material in the City right of way.
- d. Storing equipment in the City right of way.

~~114-117.~~ Obtain a grading permit prior to commencement of any grading operations on site.

AGREEMENTS

~~115-118.~~ **Inspection Agreement:** Prior to approval of an improvement plan, the applicant shall enter into an agreement with the City for inspection of the required improvements.

~~116-119.~~ **Subdivision Improvement Agreement:** The sub divider shall enter into a subdivision agreement for the completion and guarantee of improvements required. The subdivision agreement shall be on a form acceptable to the City.

~~117-120.~~ Covenants, Conditions, and Restrictions to outline the maintenance of the common facilities. These shall be subject to the review and approval of the Director of Public Works and the City Attorney.

IMPROVEMENT SECURITIES

~~118-121.~~ All improvement securities shall be of a form as set forth in Development Code Section 16.68.090, Improvement Securities.

~~119-122.~~ Submit an engineer's estimate of quantities for public improvements for review by the Director of Public Works.

~~120-123.~~ Provide financial security for the following, to be based upon a construction cost estimate approved by the Director of Public Works:

- a. **Faithful Performance:** 100% of the approved estimated cost of all subdivision improvements.
- b. **Labor and Materials:** 50% of the approved estimated cost of all subdivision improvements,
- c. **One Year Guarantee:** 10% of the approved estimated cost of all subdivision improvements. This bond is required prior to acceptance of the subdivision improvements.
- d. **Monumentation:** 100% of the estimated cost of setting survey monuments. This financial security may be waived if the developer's surveyor submits to the Director of Public Works a letter assuring that all monumentation has been set.

OTHER DOCUMENTATION

~~121-124.~~ **Tax Certificate:** The applicant shall furnish a certificate from the tax collector's office indicating that there are no unpaid taxes or special assessments against the property. The applicant may be required to bond for any unpaid taxes or liens against the property. This shall be submitted prior to placing the map on the City Council Agenda for approval.

~~122-125.~~ **Preliminary Title Report:** A current preliminary title report shall be submitted to the Director of Public Works prior to checking the map.

~~123-126.~~ **Subdivision Guarantee:** A current subdivision guarantee shall be submitted to the Director of Public Works with the final submittal of the Map.

Prior to issuing a building permit

~~124-127.~~ The Final Map shall be recorded with all pertinent conditions of approval satisfied.

Prior to issuing a certificate of occupancy

~~125-128.~~ All utilities shall be operational.

~~126-129.~~ All essential project improvements shall be constructed prior to occupancy. Non-essential improvements, guaranteed by an agreement and financial securities, may be constructed after occupancy as directed by the Director of Public Works.

~~127-130.~~ Prior to the final 10% of occupancies for the project are issued; all improvements shall be fully constructed and accepted by the City.

MITIGATION MEASURES

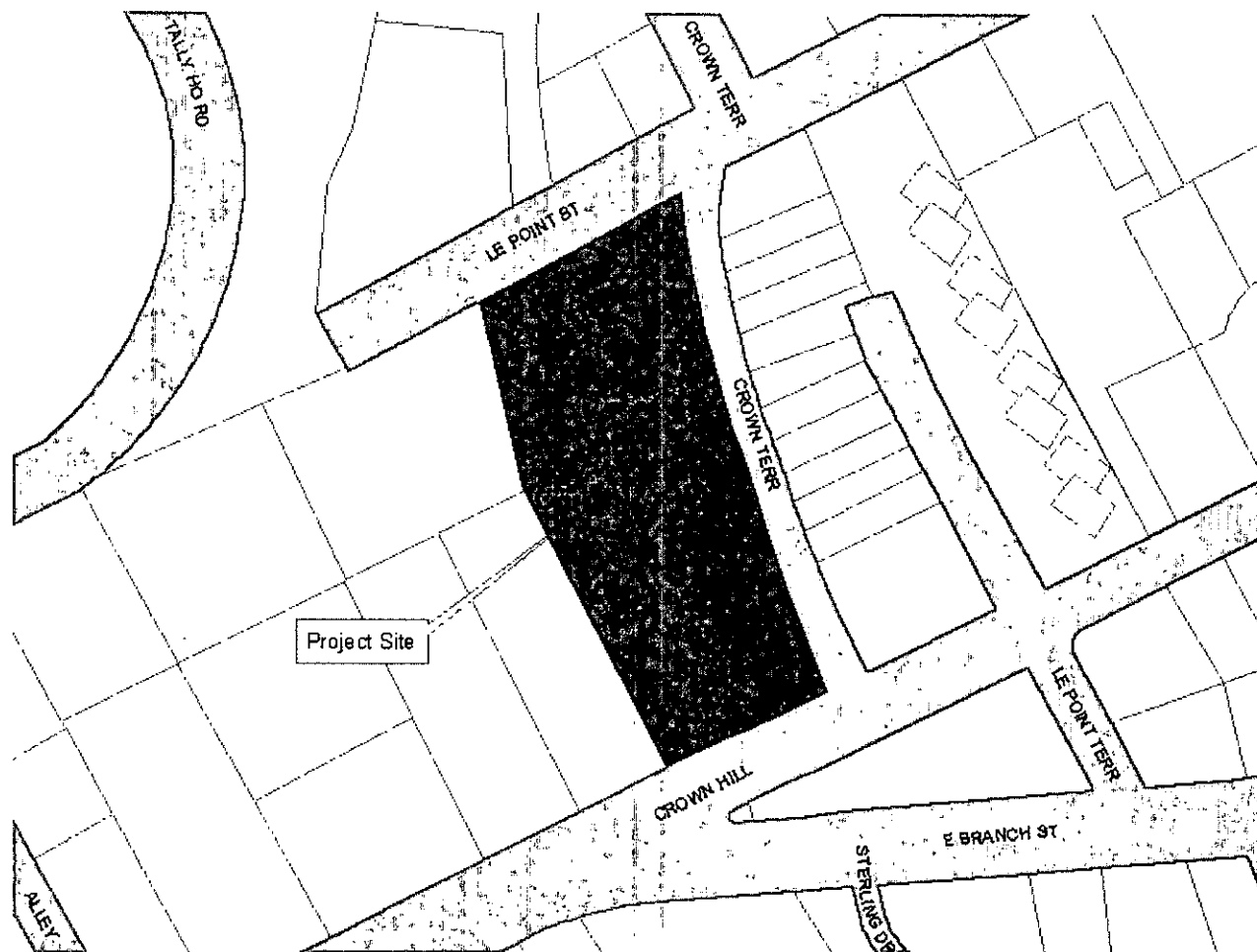
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*SEE ENVIRONMENTAL IMPACT REPORT ADDENDUM AND MITIGATION
MONITORING PROGRAM (EXHIBITS C AND D).*

**CREEKSIDE MIXED-USE CENTER
TENTATIVE TRACT MAP 04-004 &
PLANNED UNIT DEVELOPMENT 04-001**

Environmental Impact Report Addendum

August 2007



Prepared by:
City of Arroyo Grande
Community Development Department

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1.0 INTRODUCTION

Background

In September 2003 the City of Arroyo Grande adopted Resolution No. 3710 certifying the Final Environmental Impact Report (FEIR) for the Creekside Center mixed use project (Tentative Tract Map 01-002 and Conditional Use Permit 01-001). The FEIR examined potential environmental impacts associated with development of a commercial retail, office and residential complex on a 3.5-acre site located at 415 East Branch Street. The proposed project involved construction of 37,000 square feet of retail, office and residential space in five separate one and two story buildings and reconfiguration of 37 underlying lots into five parcels. The applicant proposed to retain the existing office building, relocate the two former Loomis residences, and remove the E.C. Loomis and Son Feed Store. The FEIR determined that the main residence would be eligible for listing in the California Register as a historical resource, and that the grain warehouse serves as an important feature of the setting for the main house. Removal of these structures was determined to be a significant environmental impact.

Several of the parcels originally included in the project have changed ownership since the initial submittal in January 2000. The property underlying the existing office building and storage units was sold and therefore is not a part of the proposed development. The property underlying the two residences and feed store has also been sold, but is still included as part of the revised project. A "Consent of Landowner" letter was submitted to the City on September 28, 2004 containing signatures of all owners of record for the redesigned project. Because of these changes in project design and ownership, the applicant withdrew and resubmitted the tentative tract map in September 2004. This created a new processing timeline consistent with the Permit Streamlining Act and Subdivision Map Act.

On November 14, 2006 the City Council denied, without prejudice, a proposed mixed-use project on the subject property consisting of twelve (12) duplexes, a 12,000 square foot commercial/office building and potential conversion of existing structures (the two residences and warehouse) to commercial uses. The applicant has subsequently submitted a substantially similar project that addresses City concerns.

This Addendum provides information to the City of Arroyo Grande's decision-makers on:

- A revised site plan for the proposed mixed-use project;
- Potential changes in impacts resulting from the revisions to the project; and
- Conclusions regarding potential changes in impacts and the applicability of criteria that would require the preparation of a Subsequent EIR.

Revised Project Description

The original mixed-use project was redesigned in response to comments contained in the FEIR. Most existing buildings are proposed to remain, except the storage sheds and garden barn in the center and east sides of the site, and the revised project includes considerably more residential floor area as compared to the original proposal.

Proposed is a mixed-use development consisting of sixteen (16) residential buildings in a detached townhouse configuration and a 12,937 square foot retail/office building at the corner of Crown Terrace and Crown Hill. All existing buildings are proposed to remain. There are three (3) plans proposed for the residential units as shown in the table below. Total residential units include sixteen (16) town homes and six (6) secondary units for a total of twenty-two (22) units. Two (2) of the units located adjacent to the commercial property are proposed to have a live/work option, whereby the downstairs bedroom could serve as a commercial office.

Requirements for Preparation of an Addendum

The California Environmental Quality Act (CEQA) provides for the preparation of an Addendum to a Final EIR. Section 15164 of CEQA states in part,

"(a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

CEQA Section 15162 requires preparation of a Subsequent EIR in the following cases:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:*

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative."*

None of the provisions of CEQA Section 15162 apply to the amended project, and therefore an Addendum (rather than a Subsequent EIR) has been prepared.

Pursuant to CEQA Section 15164(c):

"An addendum need not be circulated for public review but can be included in or attached to the Final EIR or adopted negative declaration."

This Addendum has therefore not been circulated for public review, but is provided as an attachment to the Final EIR.

2.0 ENVIRONMENTAL ANALYSIS OF MINOR PROJECT MODIFICATIONS

Proposed Environmental Determination

Upon review and comparison of the proposed project and original submittal evaluated by the EIR, several minor modifications and refinements have been made. As previously noted, the project description information presented in this Addendum relate only to changes in the land use composition and physical layout of the site. These changes could result in positive and/or negative effects related to the following areas examined in the Final EIR:

- Land Use
- Parking
- Historical Resources
- Recreation
- Biological Resources

The proposed changes would not result in any changes to the conclusions reached from the previously certified EIR, nor would there be a substantial increase in the severity of previously identified significant effects. Also, no new information of substantial importance is known to exist that was not known or could not have been known at the time of the previous EIR.

The following analysis identifies the minor changes made to the project plans and design as compared to the original submittal evaluated by the EIR, and explains why the change is considered minor.

Modification #1: Land Uses. As previously noted, the original project would have removed the two former Loomis residential buildings and feed store as well as all accessory storage buildings to enable construction of the Creekside Center. The Center was a complex of the existing office building and four new retail or office buildings containing approximately 31,000 gross floor area, with one building also proposing four residential units. This project would have involved significant unavoidable impacts to the existing buildings including the historic resources identified in the certified EIR.

The revised project retains the historic resources for potential restoration or reuse and eliminates only accessory structures behind and to the east of the existing houses and former feed store to enable 12,937 square feet of new retail/office building and the 16 residential town house buildings. The revised Creekside Complex is a mixed-use planned unit development that is approximately one-third commercial/office and two-thirds residential, including a total of 22 dwelling units (including second units).

Modification #2: Parking. The revised project has different parking requirements than the original project because of the increased number of residential units. However, there is little change to the number of deficient parking spaces.

Analysis: The current project complies with Development Code calculations for residential and commercial parking utilizing a 11% parking reduction, allowable for mixed-use projects. Net residential parking has a deficit of seven (7) guest spaces and net commercial parking has a deficit of three (3) spaces. The Development Code (Section 16.56.050) allows up to a 20% parking reduction for mixed-use projects, which is more than adequate for the proposed project. The proposed parking would accommodate the project demands using the shared parking scenario described in the EIR. No new impacts would result from the revised parking configuration and no additional mitigation is necessary.

Modification #3: Historical Resources. The existing former Loomis houses and feed store structures are proposed to remain, including the main house, which the EIR has determined to be a potentially significant historic resource eligible for listing in the California Register of Historic Places.

Analysis #3: The revised project retains all existing historic resource structures and related setting, which changes this environmental determination from a Class I impact (significant and unavoidable) to a Class IV impact (beneficial) and Class II (Significant but mitigable).

Retention of these existing structures requires certain mitigation measures be added that were discussed in the EIR but did not apply, because the single historical resource on the project site, the main house, was proposed to be demolished. Subsequently, the

applicant sold the property containing the historical resource without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

Mitigation Measure 4.4.1 has been added requiring the new owner of the property to register the main residence in the California Register of Historic Places through the State Office of Historic Preservation (OHP).

In the event the main house is converted from a residential to a commercial use or is renovated, any alteration (including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access) must be consistent with the Secretary's Rehabilitation Standards and Guidelines (36 CFR part 68) or technical advisories (Mitigation Measure 4.4.2)

Modification #4: Recreation. Loss of recreational opportunities.

Analysis #4: The revised project does not include an amphitheatre or a pedestrian trail adjacent to the creek as originally proposed. However, the residential component does incorporate a small open space area adjacent to the creek that includes modest recreational amenities. Mitigation measures have been added regarding requirement of a trail easement (see MM 4.4.30 and MM 4.4.31 below under Biological Resources). This does not constitute a significant impact and no additional mitigation measures are required.

Modification #5: Biological Resources. The creekway enhancement component of the original project has mostly been eliminated.

Analysis #5: Because the property developed with the office building and storage units is no longer part of the project, the opportunity for enhancement of Tally Ho Creek is reduced. This is a significant impact that can be mitigated with recordation of an open space agreement, and a twenty-five foot (25') creek easement measured from top of bank that includes a trail easement (Mitigation Measure 4.4.30). The project is further required to construct a footpath to the creek that would be stable and not erosive. The trail must be covered with base rock and designed to be permeable and to avoid the concentration of storm runoff. The developer shall also plant shrubs, such as native blackberry, adjacent to any trails and/or footpaths to discourage use of a shortcut path, and revegetate any existing short paths (Mitigation Measure 4.4.31).

Modification #6: Water.

Development of the proposed project would require water for both domestic use and landscape irrigation. The water consumption by this project would further reduce the City's remaining supply of available water. This impact will be minimized by mitigation measures, including using water-conserving designs, fixtures and landscaping.

The City currently receives its water supply from both surface and groundwater sources. Ground water extractions are derived from seven (7) wells and two (2) separate basin formulations. Surface water is obtained from the Lopez Reservoir Project, which was constructed in the late 1960's. Reclaimed storm water collected by

the Soto Sports Complex Storm Water Reclamation Project is also used as an irrigation supply source.

The City adopted a Water System Master Plan in 1999, which identified water resources as being a significant issue, and identified methods to increase and diversify water supply to increase long-term reliability of the City's water service to its residents. The report assessed potential methods to address the water supply issue and prioritized alternatives.

The City used approximately 96% of its available/allocated water supply during Fiscal Year 2006/2007. Per Chapter 13.05.010 of the City's Municipal Code (Water Supply Conditions), this level of water use is considered a "severely restricted" water supply condition that has not yet reached a "critical" level. To manage its potential water supply deficiency, the City adopted a two-phased strategy in November 2004 that included alternatives to be pursued to meet the City's water demand over the next 10-year period (phase 1), and identified alternatives that will provide permanent water supply increases to meet the long-term demand that are most desirable, feasible and cost effective (phase 2). As part of phase 1, the City adopted a Water Conservation Program in May 2003 that included:

- Plumbing Retrofit Program;
- Water Shortage Contingency Analysis;
- Public Information and Education;
- Information System Assessment for Top Water Users;
- Enforcement of City's Water Conservation Codes; and
- Optional components, including washing machine rebates, irrigation system or landscaping rebates, and retrofit of cemetery with non-potable water.

Other components of phase 1 include construction of Well No. 10 (located on Deer Trail Circle), pursuing oil field water on Price Canyon, implementing a tiered water and sewer rate structure as financial incentives for water conservation, and a utility retrofit upon-sale program. It should also be noted that pursuant to the agreement entitled Management of the Arroyo Grande Ground Water Basin, dated effective June 10, 2002, the City is entitled to the first 359.1 acre feet of the urban parties share of any increase in the safe yield of the Arroyo Grande Ground Water Basin; an RFP for this study has been implemented. This additional entitlement, potentially presents the most immediate increase in water supply to the City

Phase 2 provides various permanent water supply options that include:

- Conducting a groundwater study;
- Pursuing water from the Nacimiento Project;
- Implementing a reclaimed water system;
- Studying feasibility of a desalination plant; and
- Pursuing water from the State Water Project.

3.0 ENVIRONMENTAL ISSUES

4.1 Aesthetics

The revised project adheres to the Design Guidelines for the Historic Overlay District (the "Guidelines") per review of the Architectural Review Committee (ARC). The project therefore requires less mitigation for visual impacts than the original project. No additional mitigation measures are required.

4.2 Air Quality

Less air quality mitigation is necessary with the revised project since none of the existing buildings on the project site are proposed to be demolished. All mitigation related to dust control are required, and no additional measures are necessary.

4.3 Biology

The following mitigation measure has been added:

MM 4.3.30: The developer shall record an open space agreement and twenty-five foot (25') creek easement on the property measured from top of bank. No development shall occur within 25' creek setback area. A trail easement is further required within the setback area.

4.4 Cultural Resources

The following mitigation measures have been added:

MM 4.4.1: The owner of the property containing the former Loomis residences and grain warehouse shall register the main residence in the California Register of Historic Places through the State Office of Historic Preservation (OHP).

MM 4.4.2: Alterations to the main house shall comply with the Secretary's Rehabilitation Standards and Guidelines (36 CFR part 68).

4.5 Geology and Soil

No new impacts are expected with the revised project and no additional mitigation measures are necessary.

4.6 Hazardous Materials

No new impacts are expected with the revised project and no additional mitigation measures are necessary.

4.7 Hydrology, and Water Quality

No new impacts are expected with the revised project and no additional mitigation measures are necessary.

4.8 Land Use

There are no impacts requiring mitigation with either the original or revised project.

4.9 Noise

No new impacts are expected with the revised project and no additional mitigation measures are necessary.

4.10 Public Services and Utilities

There are no impacts requiring mitigation with either the original or revised project.

4.11 Water and Wastewater

Wastewater disposal is not considered a significant impact and existing facilities can handle the increased project demand. Cumulative water supply remains a significant impact but mitigable with implementation of mitigation measures. All mitigation measures in FEIR are required. No additional mitigation measures are necessary for water or wastewater impacts.

4.0 CONCLUSION

Based on the above discussion, the proposed mitigation measures or minor changes are not considerably different from those analyzed in the previous EIR, nor would they substantially reduce or change the conclusions. The applicant will be incorporating these and other required environmental mitigation measures into the project. Therefore, a subsequent or supplemental EIR is not considered necessary, and the EIR addendum is appropriate.

**CREEKSIDE MIXED-USE CENTER
TENTATIVE TRACT MAP 04-004 &
PLANNED UNIT DEVELOPMENT 04-001
(THE "PROJECT")**

Mitigation Monitoring Program

August 2007

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Mitigation Monitoring Program for the Creekside Center

Introduction

Mitigation is defined by the California Environmental Quality Act (CEQA) as a measure which:

- Avoids the impact altogether by not taking a certain action or parts of an action.
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment.
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project.
- Compensates for the impact by replacing or providing substitute resources or environments.

Mitigation measures discussed below have been identified in Chapter 4 of the FEIR, Environmental Setting, Impacts and Mitigation Measures, as feasible and effective in mitigating project-related environmental impacts. The effectiveness of each measure is identified in this Mitigation Monitoring Program and discussed in more detail in Chapter 4 of the FEIR.

Legal Basis

Overriding Considerations

The City Certified the FEIR for the Creekside Center in September 2003 and an Addendum to that document has been prepared to evaluate potential impacts for a revised project. At the time of considering approval of the project, the City must consider the information presented in the Final EIR and Addendum. The FEIR for the original project identified significant and unavoidable impacts with the demolition of historical resources and to the City's cumulative water supply. The revised project reduces impacts to historical resources to a less than significant level by retaining all significant (historic resources or important to their setting) existing structures on the project site. Impacts to the City's long-term water supply remains a significant and unavoidable impact previously recognized in the 2001 GPU Program EIR.

If a project is determined to have significant, unavoidable impact, the City must find that the benefits of the project outweigh the environmental effects before approving the project. This is called a Statement of Overriding Considerations and it must be included in the record of project approval (CEQA Guidelines §15093). The Statement of Overriding Considerations is a written statement, based on substantial evidence, explaining why the Lead Agency will accept the project with significant effects. Because the project has a significant, unavoidable environmental impact regarding water supply, the City must make this finding of Overriding Considerations in its approval of the project. A Notice of Determination is filed after the City makes its final decision.

Mitigation and Monitoring Program

The legal basis for the development and implementation of a Mitigation and Monitoring Program lies within CEQA. CEQA Sections 21002 and 21001.1 state:

- Public agencies are not to approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects; and
- Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.
- CEQA Section 21081.6 further requires that: the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.
- The monitoring program must be adopted when a public agency makes its findings under CEQA so that the program can be made a condition of project approval in order to mitigate significant effects on the environment. The program must be designed to ensure compliance with mitigation measures during project implementation to mitigate or avoid significant environmental effects.

Program Implementation and Monitoring

Each mitigation measure is described in the following format:

Impact:	The description of the specific environmental impact.
Mitigation Measure (MM):	The description of the mitigation measures.
Mitigation Level:	The level to which the impact is anticipated to be mitigated.
Responsible Party:	The agency, Department or individual that has the responsibility for implementing or performing the measure.
Monitoring Agency:	The public agency that has the responsibility for monitoring to ensure that the mitigation measure is effective in mitigating the impact.
Timing:	The appropriate points in time at which the mitigation measure is to be initiated and completed.

Implementation

The City shall be responsible for overall implementation and administration of the Mitigation and Monitoring Program for the project. The City shall designate a staff person to serve as coordinator of all mitigation monitoring among the various government agencies, construction contractors, and interested residents. This person (Coordinator) will oversee all mitigation measures and ensure they are completed to the standards specified in the FEIR and Addendum and will ensure that the mitigation measures are completed in a timely manner. They will also be responsible for the Mitigation Monitoring Checklist.

Duties of the Coordinator include the following:

- Coordinate with applicable agencies that have mitigation monitoring and reporting responsibility;
- Coordinate activities with the construction manager;
- Coordinate activities of all in-field monitors;
- Develop a work plan and schedule for monitoring activities;
- Coordinate activities of consultants hired by the developer when such expertise and qualifications are necessary;
- Conduct routine inspections and reporting activities;
- Plan checks;
- Assure follow-up and response to citizen inquiries and complaints;
- Develop, maintain, and compile Verification Report Forms;
- Maintain the Mitigation Monitoring Checklist or other suitable mitigation compliance summary; and
- Coordinate and assure implementation of corrective actions or enforcement measures, as needed.

Mitigation Monitoring

The implementation of mitigation measures shall be monitored at two levels. The first level of monitoring is done through the use of a Verification Report. This report is to be completed for each mitigation measure by the in-field monitor, responsible agency, or construction manager (whichever is appropriate for the given action and mitigation measure). Frequency of report completion will vary based on the type of mitigation measure. For example, measures that require modification of final design drawings will only require that the Verification Report be completed at the time of Final drawings are completed and again when they are approved. However, in-field monitoring for activities such as construction may require that a Verification Report be completed daily.

Once a mitigation measure has been completed and the measure needs no further monitoring or follow-up, the in-field monitor, responsible agency, or construction manager shall notify the Coordinator that the measure has been completed. This notification shall be done by sending a final Verification Report. The Coordinator shall be responsible for collecting and maintaining completed Verification Reports. Copies of these reports shall be maintained by the City.

If the in field monitor, responsible agency, or construction manager determined that non-compliance has occurred, a written notice shall be delivered to the Coordinator describing the non-compliance and requiring compliance within a specified period of time. If non-compliance still exists at the expiration of the specified period of time, construction may be halted and fines may be imposed upon the party responsible for implementation, at the discretion of the City.

The second level of monitoring shall be done through the completion of the Mitigation Monitoring Checklist. The purpose of the Checklist is to provide a summary of the status of adopted mitigation measures for the City, other public officials, and concerned citizens. The Coordinator shall update the Checklist twice a year. The Coordinator shall update the Checklist by reviewing the Verification Reports and contacting the in-field monitors, responsible agencies, and the construction manager to review the status of their respective mitigation measures. A copy of the most current Mitigation Monitoring Checklist shall be maintained at the Community Development Department.

Mitigation Monitoring Status Reporting

The City shall compile a Mitigation Monitoring Status report on an annual basis. The report shall be prepared by the Coordinator and contain the following:

- Mitigation Monitoring Checklist to provide the status of every mitigation measure;
- List of completed mitigation measures;
- List of all non-compliance incidences, with action taken or required;
- Evaluation of the effectiveness of the mitigation measures;
- Recommendations for modifications to the Mitigation and Monitoring Program to improve effectiveness; and
- Required modifications to the Mitigation and Monitoring Program to comply with legislation and policies adopted in the previous year (e.g. newly listed threatened species).

Project Mitigation Measures

This section presents a listing and description of the recommended mitigation measures that avoid or minimize potential environmental impacts.

4.1 Aesthetics

The revised project uses building colors and materials consistent with the Design Guidelines for the Historic Overlay District (the "Guidelines") and therefore requires no mitigation for visual impacts.

Impact: Signs added as part of the proposed project may conflict with the existing Design Guidelines for the Historic Overlay District and with the Development Code for the Village Mixed Use District. This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.1.1: A Planned Sign Program application shall be submitted to the Community Development Department (CDD). All signs to be installed on or around the proposed buildings shall be subject to review by Architectural Review Committee (ARC) and approval by the CDD.

Mitigation Level:	Less-than-significant
Responsible Party:	Developer
Monitoring Agency:	City of Arroyo Grande, CDD
Timing:	Prior to issuance of Building Permit

Impact: Sidewalks installed as part of the project may conflict with the Guidelines. This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.1.2: All sidewalks to be installed shall be consistent with the Guidelines and the Development Code, subject to review and approval by the ARC.

Mitigation Level:	Less-than-significant
Responsible Party:	City of Arroyo Grande – CDD, ARC
Monitoring Agency:	City of Arroyo Grande - CDD, Public Works Dept.
Timing:	Prior to issuance of Building Permit

Impact: The proposed development would result in an increase in external lighting. Night lighting for security, parking and street lighting could be perceived as intrusive to surrounding residential neighborhoods. This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.1.3: All lighting for the proposed project shall conform to Development Code Section 16.48.090 for position, intensity and operation. In particular, street and parking lot lights shall be directed away from the surrounding residential areas, and shall be of minimum intensity. A photometric plan shall be submitted for review and approval by CDD and Police Dept. consistent with these lighting requirements.

Mitigation Level:	Less-than-significant
Responsible Party:	Developer
Monitoring Agency:	City of Arroyo Grande - CDD, ARC, Public Works Dept., Police Dept.
Timing:	Prior to issuance of Building Permit

4.2 Air Quality

Impact: The revised project does not include demolition of any primary buildings and therefore no impacts of hazardous air pollutants such as asbestos or lead materials are anticipated. However, construction activities would produce short-term air quality impacts. This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.2.1: The dust control measures listed below shall be followed during construction of the project, and shall be shown on grading and building plans:

- During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour. Non-potable water shall be used whenever possible.
- Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
- All vehicles 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.
- Install wheel washers where vehicles enter and exit unpaved roads on to streets, or wash off trucks and equipment leaving the site.

- Sweep streets at the end of each day if visible soil material is carried on to adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Maximize the use of diesel construction equipment meeting, as a minimum, the California Air Resources Board's 1996 certification standard for off-road heavy-duty diesel engines.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande - Public Works Dept., Building and Fire Department
Timing: Prior to issuance of Grading Permit and during construction

4.3 **Biological Resources**

A biological resources investigation was conducted for the project, with emphasis on identifying sensitive biological resources and associated project impacts given the site's proximity to Tally Ho Creek.

Impact: Construction of the project may result in loss of and damage to existing vegetation/botanical resources and species habitat. In addition, the potential loss of trees within the riparian corridor could have substantial effect on habitat suitability for special-status wildlife species (although no trees are currently scheduled for removal). This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measures.

MM 4.3.1: A Riparian Restoration, Landscaping, and Monitoring Plan (Restoration Plan) shall be prepared by a qualified restoration/revegetation biologist and a qualified arborist. The Restoration Plan shall include, at a minimum, the requirements within the mitigation measures included in the FEIR, success criteria, and contingency planning if those criteria are not met.

Mitigation Level: Less-than-significant
Responsible Party: Developer shall submit the plan to the City and California Dept. of Fish and Game (CDFG)
Monitoring Agency: City of Arroyo Grande – CDD and PR&F (Parks, Recreation and Facilities Dept.); CDFG
Timing: Restoration Plan shall be submitted and approved prior to issuance of Grading Permit; duration of monitoring shall be no less than five (5) years.

MM 4.3.2: Any trees intentionally or unintentionally killed or removed that are greater than or equal to four (4) inches diameter at breast height (DBH) and less than twelve (12) inches DBH shall be replaced at a 3:1 ratio. Trees removed that are greater than or equal to twelve (12) inches DBH shall be replaced at a 5:1 ratio. Replacement trees shall

be limited to appropriate native, riparian tree species as approved by the City Parks, Facilities and Recreation Department's arborist.

Mitigation Level: Less-than-significant
Responsible Party: City of Arroyo Grande – CDD, Parks, Recreation & Facilities Dept.
Monitoring Agency: City of Arroyo Grande – CDD, Parks, Recreation & Facilities Dept.; CDFG
Timing: During construction

MM 4.3.3: Non-native, invasive plant species (German ivy, poison hemlock, etc.) shall be removed from the project site, and replaced with appropriate native herbaceous plant species as directed by a qualified restoration biologist.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – CDD, Parks, Recreation & Facilities Dept.; CDFG
Timing: Prior to issuance of a Certificate of Occupancy

MM 4.3.4: All disturbed areas of bare soil and slopes within the project site must be protected from erosion during and after construction in conformance with mitigation measures in the Geology and Soils section. Re-vegetation in appropriate areas of the site shall be implemented immediately following construction with locally occurring native plants and native erosion control seed mix (composed of locally-occurring native seed), in conjunction with geotechnical fabrics such as jute netting, for steeper slopes. Implementation of the re-vegetation and other construction Best Management Practices shall be monitored by a qualified restoration biologist.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: Restoration Biologist; City of Arroyo Grande – CDD, Parks, Recreation & Facilities Dept.
Timing: During and after construction activities

MM 4.3.5: The restoration Plan for the site shall contain the following measures for tree protection during construction:

- A qualified arborist shall be present on-site during preliminary grading. Two sets of the site map and grading plan shall be submitted Prior to Grading Permit and shall contain all information required under the terms of Section 7-1.06d of the City of Arroyo Grande Grading Ordinance.
- To protect trees on and near the site during construction, tree preservation zones (TPZ) shall be established by installing fencing, with stakes embedded in the ground, no less than 48 inches in height, at the dripline (the perimeter of the foliar canopy) of the tree, or at the critical root radius, as defined by the consulting arborist. This installation will be done prior to any grading or construction activities. In addition, herbaceous and shrubby

vegetation shall be fenced and protective wood barriers shall be provided where these are to be retained.

- Storage of construction materials, debris, or excess soil and parking of vehicles or construction equipment shall be prohibited within the dripline of existing trees (the TPZ). Any solvents or liquids shall be properly stored, disposed, and recycled to prevent accidental release.
- Soil compaction on the construction site shall be minimized, particularly within the riparian corridor and under the dripline of trees. Soil surface shall be protected with a deep layer of mulch (tree chips) to reduce compaction, retain moisture, and stabilize soil temperature.
- The natural grade around trees that are not removed shall be maintained. No additional fill or excavation shall be permitted within areas of tree root development. If tree roots are unearthed during the construction process, the consulting arborist shall be notified immediately. Exposed roots shall be covered with moistened burlap until a determination is made by the on-site arborist.
- Any areas of proposed trenching shall be evaluated with the consulting arborist and the contractor prior to construction. All trenching on this site shall be approved by the on-site arborist. Trenching within a tree dripline shall be performed by hand. Tree roots encountered shall be avoided or properly pruned under the guidance of the consulting arborist.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: Arborist; City of Arroyo Grande – CDD, Parks, Recreation & Facilities Dept.
Timing: During construction

Impact: The project could substantially degrade the riparian corridor associated with Tally Ho Creek indirectly through introduction of exotic/invasive non-native plant species, introduction of foreign materials (petroleum products, refuse, etc.), erosion, slope slippage, and directly through disruption of a sensitive habitat. This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.3.6: To reduce erosion hazards due to construction activities, grading shall be minimized, and project applicants shall use runoff and sediment control structures, and/or establish a permanent plant cover on side slopes following construction as required in Mitigation Measures within the Geology and Soils section of the FEIR.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.
Timing: Prior to issuance of Grading Permit

MM 4.3.7: The applicant shall submit a Notice of Intent to the Regional Water Quality Control Board (RWQCB) to obtain a State Water Resources Control Board General Construction Storm Water Permit. This shall include preparation and approval of a Storm Water Pollution Prevention Plan (SWPPP) and implementation of Best Management Practices to reduce water quality impacts as required by the Regional Water Quality Control Board (RWQCB).

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.
Timing: Prior to issuance of Grading Permit

MM 4.3.8: Work shall be completed during the dry season (April 15 to October 15) to reduce active construction erosion to the extent feasible. If construction must extend into the wet weather season, a qualified geohydrologist or geotechnical engineer, and restoration biologist shall prepare a drainage and erosion control plan that addresses construction measures to prevent sedimentation and erosion of Tally Ho Creek.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.
Timing: Prior to issuance of Grading Permit and during construction

MM 4.3.9: No fueling or maintenance of equipment shall take place at the site. Mechanical equipment shall be serviced in designated staging areas located outside of the creek riparian area. Water from equipment washing or concrete wash down shall be prevented from entering the creek.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.
Timing: During construction

MM 4.3.10: All removed and excess material shall be disposed of off-site and away from the flood plain, outside areas subject to U.S. Army Corps jurisdiction.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.
Timing: During construction

MM 4.3.11: Erosion control and bank stabilization measures shall be implemented to ensure that the banks used for access do not erode. In addition, when possible, alternative bank protection methods, such as restoration of native vegetation, root wads, or other bioengineering methods of stabilization, shall be used. In order to reduce long-term effects of soil compaction and changes in topography, construction vehicles and personnel shall not enter the low flow channel and wet areas or if necessary, with prior

City and DFG approval, only to the extent necessary to complete construction activities. Construction mats, wood planking, and other devices shall be used whenever possible to reduce impacts associated with soil compaction.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.
Timing: During construction

MM 4.3.12: All temporary fill placed during project construction shall be removed at project completion and the area restored to approximate pre-project contours and topography as approved by a qualified geohydrologist and restoration biologist.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.
Timing: Prior to issuance of a Certificate of Occupancy

MM 4.3.13: No construction debris or materials shall be allowed to enter the creek bed, either directly or indirectly. ~~Stockpiles should~~ shall be kept far enough from the banks of the active channel outside of the creek setback area and protected to prevent material from entering the creek bed.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.
Timing: During construction

Impact: The project has the potential to result in significant direct impacts to the southwestern pond turtle in the project footprint (and associated riparian corridor) including through harassment, injury, or mortality from construction equipment, construction debris, and worker foot traffic and from temporary loss of habitat, temporary dispersal disruption, and consumption by predators attracted to the activities. In addition, the project may result in significant indirect impacts to pond-turtle habitat including disturbance of upland slopes during construction and the resulting siltation, sedimentation, pollution, exposure, and reduction of cover. This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.3.14: A qualified biologist, preferably with a Memorandum of Understanding (MOU) with California Department of Fish and Game (CDFG), shall perform pre-construction surveys for southwestern pond turtles. If southwestern pond turtles are observed within the Area of Potential Effect (APE), they shall be relocated (only by a biologist with an MOU) to appropriate habitat elsewhere along Tally Ho Creek. If the surveying biologist does not have an MOU, CDFG shall be contacted regarding southwestern pond turtle presence, to determine an appropriate course of action.

Mitigation Level: Less-than-significant
Responsible Party: Developer

Monitoring Agency: City of Arroyo Grande – CDD; CDFG
Timing: Prior to issuance of Grading Permit

MM 4.3.15: An on-site biological monitor shall assess the Area of Potential Impact (API) daily for southwestern pond turtle presence, and relocate any observed individuals to appropriate associated habitat (only if the monitor has a MOU). If the surveying biologist does not have an MOU, CDFG shall be contacted regarding southwestern pond turtle presence, to determine an appropriate course of action.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – CDD; CDFG
Timing: During construction

Impact: The project would potentially result in a significant adverse impact to nesting raptors due to increased physiological stress, increased brood mortality, and potential nest abandonment. These impacts may occur due to reduced habitat suitability or quality (physical or biological changes in the area), increased frequency of disturbance (i.e., noise, dust, vibration, etc.), and increased accidental death (direct mortality). The available nesting raptor habitat at and near the project site that may be impacted by the project includes all trees within 300 feet of project boundaries, including the adjacent areas surrounding Tally Ho Creek. This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.3.16: Pre-construction surveys for nesting raptors shall be performed by a qualified biologist. If raptor nests are located during pre-construction surveys, a 300-foot buffer shall be established around each nest for the duration of the breeding season (ending August 1st), or until such time as the young are fully fledged as determined by a qualified biologist in coordination with CDFG. Every effort shall be made to avoid removal of, or impact to, known raptor nests within project boundaries. If trees known to support raptor nests (in past years) cannot be avoided, limbing or removal of these trees may only occur during the non-breeding season (March 15 – August 1).

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – CDD; CDFG
Timing: Prior to issuance of Grading Permit

Impact: The project may result in significant impacts to adult and sub-adult California Red Legged Frogs (CRLFs) including harassment, injury, or mortality from construction activities including placement of debris, worker foot traffic, restoration activities, temporary loss of habitat, temporary dispersal disruption, consumption by predators attracted to the activities, and siltation and pollution of the habitat. This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.3.17: All work within the sensitive habitats shall be confined to a work-window of May 1 to November 1 to minimize the impact on wildlife species.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – CDD; CDFG
Timing: During Construction

MM 4.3.18: A biological monitor shall be on site during initial construction activities (grading, vegetation removal) to monitor for special-status wildlife.

Mitigation Level: Less-than-significant
Responsible Party: Developer, Consulting Biologist
Monitoring Agency: City of Arroyo Grande – CDD; CDFG
Timing: During Construction

MM 4.3.19: A biological monitor shall conduct protocol-level surveys for CRLF within the riparian corridor associated with the project site to establish site utilization by this species.

Mitigation Level: Less-than-significant
Responsible Party: Developer, Consulting Biologist
Monitoring Agency: City of Arroyo Grande – CDD; CDFG
Timing: Prior to issuance of Grading Permit

MM 4.3.20: Consultation with U.S. Fish and Wildlife Service (USFWS) is required. This will involve a minimum 135-day review during which time USFWS will prepare a Biological Opinion and Take Permit.

Mitigation Level: Less-than-significant
Responsible Party: Developer; USFWS
Monitoring Agency: City of Arroyo Grande – CDD; USFWS
Timing: Prior to issuance of Grading Permit

MM 4.3.21: A permitted biologist (USFWS permit) shall relocate any and all individuals located within project boundaries to suitable habitat without the risk of take (relocation of CRLF also has the potential to take individual frogs, but this will be addressed in the Service's Biological Opinion). Relocation of CRLF, if present, would occur prior to, and for the duration of, construction.

Mitigation Level: Less-than-significant
Responsible Party: Developer, Consulting Biologist
Monitoring Agency: City of Arroyo Grande – CDD; USFWS
Timing: Prior to issuance of Grading Permit and during construction

MM 4.3.22: An employee education program shall be conducted to familiarize workers with the biology and identification of special-status wildlife species that may potentially be encountered during construction. This education program will also discuss access to and from the site, impact minimization, required avoidance and conditions of construction

measures, and communication with appropriate agencies (CDFG and USFWS). One person will be appointed the point of contact for these agencies, and will be responsible for appropriate communication in the unlikely event that special status species are encountered during construction. Neither the appointed contact nor anyone else on the crew shall handle special status wildlife at any time.

Mitigation Level: Less-than-significant
Responsible Party: Developer, CDFG and USFWS
Monitoring Agency: City of Arroyo Grande – CDD; CDFG; USFWS
Timing: Prior to issuance of Grading Permit

MM 4.3.23: Equipment staging areas and vehicle parking and movement shall be restricted to designated construction zones. Flagging shall also be used to keep equipment, vehicles, and personnel from restricted areas.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – CDD, Public Works Dept.
Timing: During construction

MM 4.3.24: To reduce the potential attraction of CRLF predators, all food-related trash materials (e.g., leftovers, wrappers, and containers) shall be removed from the construction site each day, and sites would be constantly maintained as litter-free. Project personnel shall be instructed not to bring pets on-site, which may also prey upon CRLF.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – CDD, Public Works Dept.
Timing: During construction

MM 4.3.25: Strict adherence to erosion control measures, and control of project run-off, is critical to maintaining CRLF habitat. Riparian mitigation, geology and soils mitigation, hydrology mitigation, and steelhead mitigation shall be implemented.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – CDD, Public Works Dept.
Timing: During construction

MM 4.3.26: After completion of construction activities, the Restoration Plan shall be prepared and implemented. At a minimum, this plan shall include post-construction restoration of the site to pre-construction topography and contours, including: re-contouring to provide for appropriate drainage and soil stability conditions, non-native/invasive exotics control, re-establishment and planting of native riparian species, success criteria, and conditions in the event that post-construction restoration does not attain the goals of the plan.

Mitigation Level: Less-than-significant
Responsible Party: Developer

Monitoring Agency: City of Arroyo Grande – CDD, Public Works Dept.
Timing: Prior to a Certificate of Occupancy

Impact: The project could result in significant impacts to Steelhead and their habitat due to direct and indirect impacts to Tally Ho Creek. The project may also result in indirect impacts to Arroyo Grande Creek due to construction and post-construction downstream erosion, discharge of sediment, and discharge of other pollutants that could affect downstream habitat. This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.3.27: The developer shall enter into formal consultation with the National Marine Fisheries Service (NMFS) regarding potential impacts to steelhead.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – CDD
Timing: Prior to issuance of Grading Permit

MM 4.3.28: No removal of riparian or upland trees that provide shade to Tally Ho Creek shall occur. Management shall include planting of native riparian species (i.e., willow, big-leaf maple, cottonwood, etc.) along the creek to provide shade and therefore aid in cooling of the creek. The on-site riparian habitat shall be enhanced to result in a net benefit to Tally Ho Creek.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – CDD, Public Works Dept.
Timing: During construction

MM 4.3.29: To reduce the peak runoff volumes (flashiness) of storm events from the site to the adjacent creeks, the developer shall submit a drainage plan prepared by a qualified hydrologist or civil engineer that demonstrates that the project post-construction run-off rate would not exceed pre-construction run-off rate in a 10- and 100-year flood event. The following specific provisions shall be included in the drainage plan subject to review and approval by the City Public Works Director, and a Restoration Biologist:

- The drainage plan should be devised such that the bench immediately surrounding the project site shall capture and retain roof and patio runoff from the site and prevent uncontrolled surface runoff toward the creek. If a gutter system is inappropriate for restoration, a paved ditch shall be constructed around the foundation facing the creek to collect all runoff and feed it into a storm drain system.
- Any increase in impermeable surfaces on the property that would lead to increased surface runoff toward the creek shall be prevented. If the amount of impermeable surfaces is increased, the surfaces shall be paved with porous pavement blocks and the drainage plan shall provide for capture of increased runoff and percolation on the bench without additional overland movement of water toward the creek.

~~□ The drainage plan shall include two water detention facilities: one for clean roof/patio runoff and one for parking lot runoff. Alternatively, the drainage plan can include a single detention and storm water pollution prevention system. Runoff from the roofs and patios shall be sent into an underground detention tank and then metered out slowly to a culvert running down the slope of the creek with appropriate energy dissipation. Runoff from any new parking area on the site shall be directed into the appropriate pollution control facility or facilities, subject to approval by the Regional Water Quality Control Board (RWQCB) in their review of the Storm Water Pollution Prevention (SWPP). The stormwater/urban runoff pollution control methodology shall be consistent with mitigation measures in the hydrology and water quality section of the EIR.~~

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.
Timing: Prior to issuance of Grading Permit

MM 4.3.30: The developer shall record an open space agreement and twenty-five foot (25') creek easement on the property measured from top of bank. No development shall occur within 25' creek setback area. A trail easement is further required within the setback area.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – CDD, Public Works Dept.
Timing: Prior to Grading Permit

MM 4.3.31: ~~To combat unwanted creek access and foot traffic that disturbs vegetation, the developer shall construct a footpath to the creek that would be stable and not erosive. The trail should be covered with base rock and designed to be permeable and to avoid the concentration of storm runoff. The developer shall also plant shrubs, such as native blackberry, adjacent to any trails and/or footpaths to the creek to discourage use of a shortcut path, and revegetate any existing short paths.~~

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – CDD, Public Works Dept.
Timing: Prior to a Certificate of Occupancy

4.4 Cultural Resources

Impacts related to the original project included removal of the primary house and warehouse, which were found to be significant and unavoidable even with implementation of required mitigation measures. Because all structures are proposed to remain with the revised project, there are no significant unavoidable impacts to these resources. However, mitigation is required to ensure the long-term preservation of existing structures that are eligible for listing in the California Register as historic resources.

Impact: The project includes removal of the rear loading dock located on the north elevation of the grain warehouse. An historical evaluation was conducted by Chattel Architecture, Planning & Preservation, Inc., for removal of the loading dock to determine if demolition would result in a significant impact to an historical resource. The conclusion of the consultant is as follows:

~~"While the grain warehouse itself may contribute to the setting of the main house, loss of the rear loading dock would not, in and of itself, cause substantial adverse change to the historical resource (main house). Loss of a loading dock which may or may not have been an element of the setting of the house during the period of significance would not materially alter the historical resource or its setting to the point where the main house would lose its ability to convey its historical significance. Because demolition of the grain warehouse north loading dock would not constitute material impairment to an historical resource, no adverse impacts are expected to occur as a result of this limited demolition. In concept, demolition of a small portion of the north, rear of the grain warehouse, on a secondary elevation, seems acceptable, if it facilitates retention of the main house and compatible development of the proposed project site."~~

~~Removal of the rear loading dock therefore does not constitute a potentially significant impact and no mitigation is required. Such removal would require a demolition permit and ARC review in accordance with D-2.4 Design Guidelines and Standards.~~

Impact: Transfer, lease, or sale of property without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance. This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.4.1: The owner of the property containing the former Loomis residences and grain warehouse shall register the main residence in the California Register of Historic Places through the State Office of Historic Preservation (OHP).

Mitigation Level:	Less-than-significant
Responsible Party:	Developer
Monitoring Agency:	City of Arroyo Grande – CDD, Building Dept.
Timing:	Prior to issuance of Building Permit

Impact: Alteration of an historical resource, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access that is potentially not consistent with the Secretary's Rehabilitation Standards and Guidelines (36 CFR part 68) or technical advisories. This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.4.2: Alterations to the main house shall comply with the Secretary's Rehabilitation Standards and Guidelines (36 CFR part 68).

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Building Dept.
Timing: Prior to issuance of Building Permit

MM 4.4.3: The segment of the rail bed on the project site shall be left intact and its alignment identified. If it is not possible to preserve the rail bed, then documentary drawings consistent with accepted industry practice shall be made of this historic feature to provide an archival record of its existence prior to disturbance or removal. Such documentary drawings shall be appropriately labeled and placed in the collection of the regional information center at the University of California, Santa Barbara. The documentary drawings shall be accepted by the Community Development Director prior to submittal to the repository and issuance of any final occupancy for the project. A high-quality, laser or equivalent copy, shall be provided to the Community Development Director for retention in the project file.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Building Dept.
Timing: Prior to issuance of a Certificate of Occupancy

Impact: Although no prehistoric resources have been found on the project site, the potential for such resources exists. The project has the potential to disturb such resources and result in their loss. This is a potentially significant impact that can be mitigated to a less-than-significant level with the following mitigation measure(s).

MM 4.4.4: The following note shall be placed on the grading plans for the project:

"In the event that during grading, construction or development of the project, and archeological resources are uncovered, all work shall be halted until the City has reviewed the resources for their significance. If human remains (burials) are encountered, the County Coroner (781-4513) shall be contacted immediately. The applicant may be required to provide archaeological studies and/or mitigation measures."

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.
Timing: Prior to issuance of Grading Permit

MM 4.4.5: A qualified archaeologist shall be retained to monitor all earth movement (grading) activity. For the purposes of this project, a qualified archaeologist shall meet the qualifications and be registered on the Register of Professional Archaeologists.

In the event that prehistoric cultural materials, or historic cultural materials are encountered, work in the immediate vicinity of the finds shall be suspended and the archaeologist allowed to quickly record, collect and analyze any significant resources encountered. Following the field analysis work, the qualified archaeologist shall prepare

a final monitoring/mitigation report that includes a description of the methods used, materials recovered, and the results of historic or prehistoric analysis of those materials.

The final archaeological monitoring/mitigation report prepared by the qualified archaeologist shall be accepted by the Community Development Director prior to submittal to the repository and issuance of any final occupancy for the project. A high-quality, laser or equivalent copy, shall be provided to the Community Development Director for retention in the project file.

Mitigation Level:	Less-than-significant
Responsible Party:	Developer
Monitoring Agency:	City of Arroyo Grande – CDD
Timing:	During construction

Impact: Introduction of visual, atmospheric or audible elements that diminish the integrity of an historical resource's significant historic features.

MM 4.4.6: The Community Development Director shall ensure the project is reviewed through design development and construction documents phases for conformance with the "Design Guidelines and Standards for Historic Districts" (the "Guidelines"). The project site is located in an area of transition from formal commercial to single and multiple family residential areas adjoining an agrarian character, farm-support commercial complex at the northeast edge of the Village Mixed Use district. The project design shall emphasize these transitional and agrarian features, which are reflected in the "existing design elements". These features include barn-like building envelopes with gable roofs and horizontal or vertical cladding.

As part of their established responsibilities, the Architectural Review Committee (ARC) shall conduct their own, parallel review for consistency with the Guidelines. No building permit for the project shall be issued for the project until the final design has been reviewed and found to be consistent with the Guidelines in accordance with the process described above.

Mitigation Level:	Less-than-significant
Responsible Party:	Developer
Monitoring Agency:	City of Arroyo Grande – CDD
Timing:	Prior to issuance of a Building Permit

4.5 Geology and Soils

The project as revised requires less cut and fill compared to the original project: 590 cubic yards (cy) of cut and 2,870 cy of fill for the revised project vs. 1,264 cy of cut and 2,953 cy of fill as originally proposed. Although there is less site disturbance (limited demolition proposed and less grading), the clearing and grading necessary to develop the site as proposed has the potential to cause erosion and sedimentation in local drainages and is therefore subject to mitigation. The site is also located in a seismically active region that necessitates mitigation.

Impact: The project site will be subject to severe ground shaking in a strong seismic event, which could cause damage to structures and endanger public safety. This is a

potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.5.1: A project-specific geotechnical report shall be prepared by a registered geotechnical engineer as required by the City's Grading Ordinance, and the recommendations of that report shall be incorporated in the design and construction of the proposed project. Final improvement plans submitted to the City shall be accompanied by a letter of certification from the geotechnical engineer that the plans are in conformance with the geotechnical report, and the certification shall confirm that the plans include the following:

- The project shall be designed to withstand ground shaking associated with a large magnitude earthquake on nearby active faults.
- All proposed structures shall be designed to conform to the most recent Uniform Building Code (UBC) Zone 4 guidelines.
- The project shall comply with the requirements of the City's Grading Ordinance.
- Site-specific specifications regarding clearing, site grading and preparation, footings, foundations, slabs-on-grade, site drainage, and pavements or turf block shall be delineated.

Mitigation Level:	Less-than-significant
Responsible Party:	Developer
Monitoring Agency:	City of Arroyo Grande – Public Works Dept.
Timing:	Prior to issuance of Grading Permit

Impact: The project would potentially result in soil instability impacts (including landslides) that could damage structures and endanger public safety. This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.5.2: The geotechnical report shall include the following considerations, at a minimum, to ensure that the impacts related to soil instability and landslides are reduced to a less-than-significant level:

- Utilities should be designed with as much flexibility as practical to tolerate potential differential movement without becoming disconnected or broken.
- Subgrade or base material shall be replaced or covered with suitable base material.
- Retaining wall design shall be prepared by a qualified structural engineer based on the recommendations of a qualified geotechnical engineer and shall comply with the requirements of the City's Grading Ordinance.
- Land with slopes greater than 25% shall not be developed, except as indicated in the approved building and grading permits.

Mitigation Level:	Less-than-significant
Responsible Party:	Developer
Monitoring Agency:	City of Arroyo Grande – Public Works Dept.

Timing:

Prior to issuance of Grading Permit

Impact: The project site will be subject to soil erosion and downstream sedimentation during construction. This is a potentially significant impact that can be mitigated to a less-than-significant level with implementation of the following mitigation measure(s).

MM 4.5.3: Prior to Grading Permit for the project, the applicant shall prepare and submit a grading and erosion control plan in compliance with the City's Grading Ordinance for review and approval by the Public Works Department, and a qualified biologist and geohydrologist. The erosion control plan shall be subject to review and approval, and monitoring during construction, by the on-site biologist, geotechnical engineer, and City staff and shall include the following, at a minimum:

- Install and maintain silt basins and fences or straw bales along drainage paths during construction to contain on-site soils until bare slopes are vegetated. Carefully stockpile graded soils away from drainages;
- Restrict grading and earthwork during the rainy season (October 15 through April 15) and stabilize all exposed soils and graded areas prior to onset of the rainy season through mulching and reseeded. Permit grading within this period only with installation of adequate sediment and erosion control measures;
- Delineate and describe the practices to retain sediment on the site, including sediment basins and traps, and a schedule for their maintenance and upkeep;
- Delineate and describe the vegetative practices to be used, including types of seeds and fertilizer and their application rates, the type, location and extent of pre-existing and undisturbed vegetation types, and a schedule for maintenance and upkeep;
- Estimate of the cost of implementing and maintaining all erosion and sediment control measures;
- Revegetate graded slopes with appropriate native plant species (as specified by a qualified botanist or revegetation specialist) immediately upon completion of grading or prior to extended inactivity in any exposed area;
- Comply with all applicable City of Arroyo Grande ordinances including landscaping compatibility for erosion control;
- Only clear land that will be actively under construction within 6 to 12 months;
- Stabilize disturbed areas except where active construction is taking place. Examples of stabilization techniques include jute netting, hydro-seeding (using native plant composition in consultation with a qualified biologist or re-vegetation specialist), etc. and provide permanent stabilization during finish grade and landscape the site;
- Dispose of all construction waste in designated areas, and keep storm water from flowing on or off these areas;

- Divert or intercept storm water before it reached Tally Ho Creek, using temporary dikes, swales, or pipe slope drains to provide for settling of suspended solids and prevention of contamination by construction materials; and
- Place perimeter controls where runoff enters or leaves the site prior to clearing, grubbing, and rough grading. Perimeter controls may include dikes, swales, temporary storm drains, sand bags or hay bales.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – CDD, Public Works Dept.; Consulting biologist and geohydrologist
Timing: Prior to issuance of Grading Permit

4.6 Hazardous Materials

The project site has been used for agricultural chemical operations for decades. Although remediation occurred in 1986, soil contamination from continued agricultural chemical operations could have occurred, creating unsafe conditions. Because there is no proposed demolition, mitigation measures are not necessary for public safety associated with asbestos and lead paint contained in existing structures. However, naturally occurring asbestos could be present in the soils, requiring precautionary mitigation.

Impact: The project site may contain unsafe levels of hazardous materials, which may exceed state action levels and may pose a threat to future construction workers, residents or users at the Creekside Center project site. This is a significant impact that can be reduced to a less-than-significant level with the following mitigation measure(s).

MM 4.6.1: Subject to approval by the San Luis Obispo County Environmental Health Department (County Health), the developer shall conduct any necessary soil sampling, risk assessment and remediation, and present evidence to the City of Arroyo Grande that the risk of future exposure of people working, living or using the site is reduced to a level that is acceptable to the relevant resource agencies (County Health, and the California Regional Water Quality Control Board, if requested by County Health). The City shall not issue a grading permit until they receive written verification to demonstrate that the level of risk is acceptable to resource agencies and that the levels of hazardous materials are safe for all proposed site activities.

In addition, as requested by the Air Pollution Control District (APCD), the applicant shall adhere to the following requirements:

- Storage piles of contaminated material shall be covered at all times except when soil is being added or removed;
- Covers on storage piles should be maintained in place at all times in areas not actively involved in soil addition or removal;
- Contaminated soil shall be covered with at least six (6) inches of packed uncontaminated soil or other TPH – nonpermeable barrier such as plastic tarp
- No head space should be allowed where vapors could accumulate;

- Covered piles should be designed in such a way to eliminate erosion due to wind or water;
- No openings in the cover are permitted;
- During soil excavation, odors should not be evident to such a degree as to cause a public nuisance; and
- Clean soils must be segregated from contaminated soil.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.; County Health; RWQCB; APCD
Timing: Prior to issuance of Grading Permit

MM 4.6.2: Prior to any grading activities at the site, a geologic evaluation will be necessary to determine if naturally occurring asbestos is present. If naturally occurring asbestos is found at the site, the developer must comply with all requirements outlined in the Asbestos ATCM for construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include but are not limited to 1) an Asbestos Dust Mitigation Plan that must be approved by the APCD before construction occurs, and 2) an Asbestos Health and Safety Program for some projects, if requested by the APCD.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.; APCD
Timing: Prior to issuance of Grading Permit

4.7 Hydrology and Water Quality

The project is within the City's adopted Federal Flood Insurance Rate Maps (FIRM) and FEMA requirements for floodplain zoning. However, the project site and surrounding lands are subject to inundation during a 100-year flood due to the insufficient capacity of the Branch Street Culvert. Replacement of this culvert would be a costly regional capital improvement that could not legally be imposed on the project developer solely. An analysis should be made, however, to determine whether structures nearby the site would be flooded due to project activities and whether improvements to the culvert would be necessary to increase the capacity to sufficiently handle a 100-year storm upon project development.

Impact: The project would expose people and structures to a potentially significant risk of loss, injury or death involving flooding, including flooding of the Tally Ho Creek due to project improvements in combination with insufficiency of the culvert under Branch Street to be able to pass the 100-year flood event. This is a significant impact that can be reduced to a less-than-significant level with the following mitigation measure(s).

MM 4.7.1: A qualified civil engineer shall prepare and submit a project-specific flooding/drainage study to demonstrate that the project has appropriate flood design subject to review and approval by the City prior to approval of a grading permit for the project. The project shall meet these standards at the time of site development, including the following criteria within the floodplain:

- All new structures shall have finish floors elevated at least one foot over the level of the 100-year flood or the structures must be flood-proofed to a level at least one foot over the level of the 100-year flood;
- Structures located within the flood plain must be capable of withstanding the hydrodynamic and hydrostatic loads (including buoyancy) caused by the 100-year flood at the site;
- The development must not cause a rise of over one foot in the level of the 100-year flood at any off-site location;
- Any new development must be located beyond the riparian setback designated in City Codes;
- Affected structures shall be flood proofed and certified as provided for in Ordinance No. 501; and
- Flood proofing at doorway openings should utilize floodgate barriers and flood proof membranes should be integrated into the structural design.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.
Timing: Prior to issuance of Grading Permit

Impact: Future construction activities and post-construction uses at the site could result in degradation of water quality in nearby surface and ground water bodies through surface runoff, and infiltration to ground water, and may indirectly cause impacts on the riparian values of the downstream waterbodies and sensitive species. This is a significant impact that can be reduced to a less-than-significant level with the following mitigation measure(s).

MM 4.7.2: The developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and an Erosion Control Plan (as required by MM 4.5.3) and submit them to the City for review and approval Prior to Grading Permit. The SWPPP shall include Best Management Practices for construction and post-construction activities to control runoff volumes and rates, and erosion, and to prevent discharge of pollutants to Tally Ho Creek. When pavement is removed, uncovered site soils shall be further tested for possible contaminants. Specific Best Management Practices to be implemented shall be developed based on site-specific analysis of the optimum pollution control methodology and shall include, at a minimum, the requirements set forth in MM 4.5.3, measures identified in the Biological Resources section, and the following:

- The drainage plan shall demonstrate that existing local and downstream hydrological conditions would not be significantly impacted with implementation of the proposed project such that new bank erosion would result due to project improvements.
- The applicant's drainage plan shall demonstrate that after construction has been completed and the site permanently stabilized, the post development average annual total suspended solids (TSS) loadings from the site are reduced by 80% compared to predevelopment loadings with pollution control measures.

- Use one or more of the following best management practices to control urban runoff: infiltration trenches, concrete grid pavement, vegetated filter strips, water quality inlet catch basins with sand filter, or other appropriate practices using guidance from the RWQCB, US EPA, or other agency with water quality regulatory authority. A good source of information on best management practices can be found in "National Management Measures Guidance to Control Nonpoint Source Pollution from Urban Areas: (U.S. Environmental Protection Agency, July 2002).
- The plans and specifications for the construction contract shall require that best management practices be implemented throughout construction. The City of Arroyo Grande shall inspect the project site during construction and verify that the construction contractor is implementing the proper erosion and water quality protection measures. The applicants shall implement the following water quality control and protection measures during construction:
 - Performing major vehicle maintenance, repair jobs and equipment washing off site;
 - Maintaining all vehicles and heavy equipment and inspecting frequently for leaks;
 - Designating one area of the construction site, well away from streams or storm drain outlets, for auto and equipment parking and routine vehicle and equipment maintenance;
 - Cleaning-up spilled dry materials immediately. Do not "wash them away" with water, or bury them;
 - Using only minimal water for dust control;
 - Cleaning-up liquid spills on paved or impermeable surfaces using "dry" cleanup methods (i.e., absorbent materials, cat litter, and/or rags);
 - Cleaning-up soils on dirt areas by removing and properly disposing of contaminated soil;
 - Reporting significant spills to the appropriate spill response agencies;
 - Storing stockpiled material, wastes, containers and dumpsters under a temporary roof or secured plastic sheeting;
 - Properly storing containers of paints, chemicals, solvents and other hazardous materials in garages or sheds with double containment during rainy periods;
 - Placing dumpsters under roofs or covering them with plastic sheeting at the end of each work day and during rainy weather;
 - Washing out concrete mixers only in designated washout areas where the water will flow into setting ponds or onto stockpiles of aggregate base or sand. Whenever possible, recycling washout by pumping back into mixers for reuse. Never dispose of washout into the street, storm drains, drainage ditches, or streams;
 - Applying concrete, asphalt and seal coat during dry weather. Keeping contaminants from fresh concrete and asphalt out of the storm drains, creeks, by scheduling paving jobs during periods of dry weather, allowing new pavement to cure before storm water flows across it;

- Covering catch basins and manholes when applying seal coat, slurry seal, fog seal, etc.; and
- Always parking paving equipment over drip pans or absorbent materials, since they tend to drip continuously.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – Public Works Dept.
Timing: Prior to issuance of Grading Permit

4.8 Land Use and Planning

The project is consistent with the policies and standards of Land Use Element of the 2001 General Plan, the Village Mixed Use District Development Code, and Design Guidelines for Historic Districts. There are no significant land use related impacts, and no mitigation measures are necessary.

4.9 Noise

Existing ambient noise in the vicinity of the project site is primarily generated by traffic. The project will generate a short-term noise impact with construction activities. Long-term increases in traffic and other operational noise levels are considered less-than-significant impacts and no mitigation measures are necessary.

Impact: Existing residences in the project area would be exposed to short-term noise impacts during construction. This is a significant impact that can be reduced to a less-than-significant level with the following mitigation measure(s).

MM 4.9.1: Construction activities shall be restricted to the hours of 8:00AM to 5:00 PM Monday through Friday. There shall be no construction activities on Saturday or Sunday. Equipment maintenance and servicing shall be confined to the same hours.

MM 4.9.2: All construction equipment utilizing internal combustion engines shall be required to have mufflers that are in good condition. Stationary noise sources shall be located at least 300 feet from occupied dwelling units unless noise reducing engine housing enclosures or noise screens are provided by the contractor.

MM 4.9.3: Equipment mobilization areas, water tanks, and equipment storage areas shall be placed in a central location as far from existing residences as feasible.

Mitigation Level: Less-than-significant
Responsible Party: Developer
Monitoring Agency: City of Arroyo Grande – CDD, Public Works Dept.
Timing: During construction

4.10 Public Services and Utilities

Public services and utilities serving the project vicinity include police and fire protection, emergency response, schools and libraries, parks and recreation, utilities and solid waste disposal. Impacts to these services resulting from the project are less than significant and no mitigation measures are necessary.

4.11 Water and Wastewater

Wastewater disposal is not considered a significant impact and existing facilities can handle the increased project demand. Cumulative water supply impacts are considered significant but mitigable with implementation of mitigation measures.

Impact: Development of the proposed project would require water for both domestic use and landscape irrigation. Water consumption by this project would further reduce the City's remaining supply of available water. This impact will be minimized by mitigation measures, including using water-conserving designs, fixtures and landscaping. The following mitigation shall be required to reduce impacts to a less-than-significant level.

MM 4.11.1: The project shall comply with the City's required water conservation measures including any applicable measures identified in any applicable City Water Conservation Plans.

Mitigation Level:	Less-than-significant
Responsible Party:	Developer
Monitoring Agency:	City of Arroyo Grande – Public Works Dept.
Timing:	Prior to issuance of Building Permit

MM 4.11.2: The project shall install best available technology for low-flow toilets, showerheads and hot water recirculation systems.

Mitigation Level:	Less-than-significant
Responsible Party:	Developer
Monitoring Agency:	City of Arroyo Grande –Building Dept.
Timing:	Prior to issuance of a Certificate of Occupancy

MM 4.11.3: The final landscape plan shall show low-water use/drought resistant species and drip irrigation systems rather than spray irrigation systems.

Mitigation Level:	Less-than-significant
Responsible Party:	Developer
Monitoring Agency:	City of Arroyo Grande – Parks, Recreation and Facilities Dept.
Timing:	Prior to issuance of Building Permit

MM 4.11.4: The project plans shall include methods for collecting surface run-off from the site for use on landscaped areas to reduce water use and minimize run-off to the extent feasible.

Mitigation Level:	Less-than-significant
Responsible Party:	Developer
Monitoring Agency:	City of Arroyo Grande –Public Works Dept.
Timing:	Prior to issuance of Building Permit

**STATEMENT OF OVERRIDING CONSIDERATIONS
CREEKSIDE CENTER**

Section 15093 of the CEQA Guidelines establishes the following requirements for a Statement of Overriding Considerations:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological or other benefits of a Proposed Project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological or other benefits of a Proposed Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable".
- (b) Where the decision of the public agency allows the occurrence of significant effects, which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. This statement may be necessary if the agency also makes a finding under Section 15091(a)(2) or (a)(3).
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination.

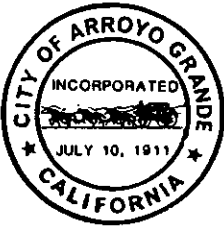
The Final Program EIR for the 2001 General Plan Update and the Final EIR for the Creekside Center project identified several mitigation measures for impacts related to cumulative water supply. Some require implementation on a regional basis. If these regional measures are established and enforced, water resources might be mitigated to a less than significant level. Until these regional measures are implemented, approval of any discretionary development project may involve unavoidable significant impacts. Therefore, CEQA findings and a statement of overriding consideration are needed to explain why the City considers this potentially significant impact as unavoidable but acceptable.

The City Council has weighed the benefits of the proposed project against its unavoidable potentially significant impact on cumulative water supply. Based on consideration of the record as a whole, the City Council finds that the following benefits of the project outweigh the unavoidable and potentially significant environmental impact and make adoption acceptable:

- 1) Current estimates of regional water resources available during drought periods may be more or less than the City's currently available municipal water supply sources as documented in the City of Arroyo Grande Water Master Plan and Urban Water Management Plan. This is because these water resources are also utilized by the Cities of Grover beach and Pismo Beach, the Oceano and Nipomo Community Services Districts, the County

of San Luis Obispo and hundreds of individual private agricultural and Rural and Suburban Residential wells. These other jurisdictions and users are not under the control of the City of Arroyo Grande. Continued agricultural irrigation and projected unincorporated area growth and development, particularly the responsibility of the County of San Luis Obispo to manage, make it infeasible for the City of Arroyo Grande to mitigate water resource impacts to potentially less than significant. However, the 2001 General Plan contains principles, objectives and policies related to the conservation of water resources and reduced consumption within the City which better manage and limit land use and urban development to that which can likely be sustained by available water resources. The mitigation measures contained in the Final EIR for the Creekside Center project adhere to these water conservation policies.

- 2) The project enables implementation of General Plan policies related to economic development (business retention and expansion, and promotion of additional base level of jobs), Mixed Use development, creekway access and enhancement, historic preservation, and development of affordable housing.
- 3) The project retains and protects historic resources within the City's historic Village District and allows adaptive reuse of the Loomis residences, which will enhance tourism and add revenue to the City.
- 4) The project eliminates an antiquated small lot subdivision. If developed, these existing small lots would create disjointed development, which is undesirable to the City.
- 5) The project improves vehicular circulation and safety by providing an all-way stop at the corner of Crown Terrace and Le Point Street, and a left turn pocket into the project site on Crown Hill.
- 6) The project improves pedestrian circulation and safety, especially for children attending Paulding Middle School, by providing a sidewalk along Crown Terrace and an internal pedestrian path connecting Le Point Street to East Branch Street.



MEMORANDUM

TO: CITY COUNCIL

FROM: ROB STRONG, COMMUNITY DEVELOPMENT DIRECTOR 

BY:  KELLY HEFFERNON, ASSOCIATE PLANNER

SUBJECT: CONSIDERATION OF VESTING TENTATIVE TRACT MAP CASE NO. 04-004 & PLANNED UNIT DEVELOPMENT CASE NO. 04-001; APPLICANT – DB & M PROPERTIES, LLC; LOCATION – 415 EAST BRANCH STREET (CONTINUED FROM THE AUGUST 8, 2006 COUNCIL MEETING)

DATE: OCTOBER 24, 2006

RECOMMENDATION:

It is recommended the City Council consider an addendum to a certified EIR and a proposal for a commercial retail, office and residential project located in the Village of Arroyo Grande (Creekside Mixed-Use Center), take tentative action on the project and direct staff to return with a supporting resolution.

FUNDING:

There would be additional City costs associated with maintenance if the City accepts the offer of dedication of the creek channel and creek setback area.

DISCUSSION:

Background

The City Council adopted Resolution No. 3710 on September 23, 2003 certifying the Final Environmental Impact Report (FEIR) for the Creekside Center project. The previous project proposed to retain and remodel the existing office building, relocate two former Loomis residences, remove the E.C. Loomis and Son Feed Store and develop a retail commercial, office and residential complex on the former Loomis property located at the east edge of the Village. The EIR determined that the main residence would be eligible for listing in the California Register as a historical resource, and that the grain warehouse serves as an important feature of the setting of the main house. In response to this determination, the applicant submitted revised plans that retain all of the existing structures and provides a larger residential component.

The Planning Commission considered the project on April 19, 2005 and made the following recommendation to Council (see Attachment 1 for Meeting Minutes):

Recommend denial of the proposal based on the inability to make findings No. 1, 2 and 3 of the Resolution approving the project regarding issues of consistency with the goals, objectives, policies, plans, programs, intent, and requirements of the General Plan; public health, safety, and welfare; and consistency with the purpose and intent of the Development Code.

The Commission further added that the project could meet the findings for approval if the following issues were dealt with:

- 1. The driveways on Crown Terrace should be level or down sloped to the street.*
- 2. The barn should be preserved in its entirety with net loss of three parking spaces and include a parking reduction for the barn or reduction in the proposed retail space to accommodate the loss of three parking spaces.*
- 3. Provide public access to creek and park open space area.*
- 4. There should be no gate, but have a "look back" provision to reassess after one year. Enough space should be left if it is determined that a gate is necessary at a later date.*
- 5. The building design, height and materials should go back to ARC and Planning Commission before issuance of a building permit for final development.*
- 6. There should be further determination and detailed description of any retaining walls along Crown Terrace.*
- 7. The issue of biological creek filters should be included in the staff report to Council.*
- 8. A model to scale of the project in its entirety should be presented to Council.*
- 9. The project should be reduced by one unit in Plan "B" to improve on-site loading and parking.*
- 10. The access between the Barn and Loomis house should provide a pedestrian path out to the sidewalk.*

In response to Planning Commission comments and concerns, the applicant proposed the following project revisions.

1. Residential driveways leading from the four (4) residential units along Crown Terrace will slope downward to provide for traffic sight distance visibility.
2. The addition to the rear portion of the existing warehouse will be retained and the resultant loss of parking spaces will be absorbed with a subsequent loss of retail space at the warehouse or the conversion of existing residences to commercial uses.
3. The existing loading dock along the easterly wall of the warehouse will be retained, and the newly constructed handicap ramp will be relocated with development of the proposed commercial structure.
4. A pedestrian access will be provided from East Branch Street between the warehouse and Loomis house leading to the residential area of the project.
5. The originally proposed controlled access gate between the residential and commercial areas has been eliminated from the project plans.

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6. The City's ARC and Planning Commission will approve final building designs, materials of construction and color schemes.
7. The guardrail along Crown Terrace is to be constructed in accordance with the standards adopted by the City of Arroyo Grande.
8. The applicant intends to incorporate the Best Available Technology (BAT), as outlined by the Federal EPA standards, to deal with pollution caused by urban runoff.
9. A scale model for the site has been completed at a scale of 1"=20' and will be available at the City Council meeting.
10. Flood sections with this development were presented with the subdivision application submittal. These sections and calculations indicate conformance with the City's Flood Plain Management Ordinance No. 501.
11. Creek clean up and restoration will be improved and managed with the development of the residential component of the project in accordance with the submitted landscape plans and the recommendations contained within the FEIR for the project.
12. The elimination or modification of street light structures and their intensity in the residential areas of the project is acceptable if the City allows for deviation from these requirements.

The City Council considered this project on June 14, 2005 and continued the item to a date uncertain pending resolution of several issues (see Attachment 2 for Meeting Minutes). Issues discussed included:

- Reciprocal access agreement with adjacent property to the west.
- Safe access to Paulding Middle School.
- Sight distance concern on Crown Terrace where it intersects with Crown Hill.
- Left turn pocket design.
- Crown Terrace/Le Point Street intersection improvements.
- Tree removal along Crown Terrace.
- Large scale of proposed commercial building in relation to the Loomis barn.
- Clarification of how the public/private interface within the 25' creek setback area will be managed.
- Emphasis of pedestrian access throughout the project.
- Widening of Crown Terrace.

In response to Council comments, the applicant secured a reciprocal easement for ingress and egress with the neighboring property to the west (see Attachment 3 for signed agreement), and revised the tentative tract map to show the 25' wide creek setback area as an individual parcel to be irrevocably offered to the City. Revisions to the Grading Plan, Easement Plan and Flood Sections were also made. The applicant additionally submitted the following exhibits to further clarify features of the project (see Attachment 4):

1. Creek Easement, Open Space and Setback Exhibit, identifying the various setbacks and easements along Tally Ho Creek. The 25' wide creek setback area is shown on the revised tentative tract map as Lot 14. Consistent with

Development Code Section 16.64.060(R), the creekbed and 25' from the top of the bank will be irrevocably dedicated to the City. The area identified on the exhibit as the shaded homeowners open space area is an open space amenity accessible to members of the Creekside Homeowners Association (HOA) and will be maintained by the HOA. The applicant recommends that a trail easement be recorded but remain unimproved, without public access, until such time as additional easement segments are acquired and a trail constructed by the City linking a creek trail system between existing public right of ways (on Le Point Street and East Branch Street).

2. Creek Landscaping and Improvement Plan Exhibit, which shows proposed landscaping, play structure and other miscellaneous improvements within the floodplain setback area. Slight modifications to the landscape plan will be necessary to move the proposed Homeowner's amenities from the area now identified as Lot 14.
3. Creek Grading Plan Exhibit, illustrating the preliminary grading proposed for the creek area and adjacent houses.
4. Composite Creek Grading and Landscaping Plan Exhibit, which is a composite of the above two exhibits.
- 5a. Pedestrian Pathways Exhibit, illustrating pedestrian and open space connections through the project to East Branch Street and the Village Area.
- 5b. Driveway and Parking Areas Exhibit, including the second access onto East Branch Street.
6. Sidewalk View of New Building – Design Compatibility Exhibit shows the view of the new commercial building and warehouse building from a pedestrian's sidewalk viewpoint from the north side of East Branch Street.
7. Warehouse/New Building – Design Compatibility Exhibit shows existing and proposed views of the property frontage illustrating compatible size, scale and design elements between the existing warehouse and new commercial building without making any design modifications to the design of the submitted project.
8. East Branch Street/Crown Hill Street/Condo Street Elevation Exhibit illustrates the size and scale of the main architectural elements in the vicinity. The exhibit shows that the condo units, with the exposed under story, dominate the visual backdrop to the site and in the neighborhood. The proposed commercial building provides a middle position in the spatial hierarchy of the streetscape and appears complimentary in size, scale and massing to the other urban forms on the site.

9. Crown Terrace Right-of-Way Width – Impact Comparison Exhibit illustrates the impact of required retaining wall heights if Crown Terrace were to increase from two, 12' wide travel lanes with no parking to two, 15' travel lanes. Other related impacts would be shorter length of driveways, effects on structural retaining walls within the residential units and floor plan redesigns.
10. Left Turn Pocket Exhibit shows the design and functional characteristics of a left turn pocket into the project from Crown Hill Street. A 6' wide sidewalk with ADA compliance ramps will also be improved. Final design details of these improvements will accompany the improvement plans for the project.

The applicant submitted additional information regarding drainage including calculations identifying the difference in pre and post development volumes for various storm events using the San Luis Obispo County standards. The drainage evaluation indicates that the peak flows are being reduced through reduction in impervious surface area. Also included is correspondence between the City Public Works Department and TEC Civil Engineering Consultants discussing drainage detention basin need, design, and location (see Attachment 5).

Regarding the suggested redesign of Plan "A", the applicant studied the point of access for the upper duplex unit at the corner of Le Point and Crown Terrace and determined that due to the steepness of the Le Point slope, the garage access would be awkward and potentially conflict and interfere with travel lane vehicles at the intersection. Therefore, no design modifications of the garage location were made. The applicant also evaluated the removal of the three-foot high clearstory roof element on the commercial building and concluded that this detail helps to provide visual relief to the roof plane, and helps diminish the vertical profile of the building.

Council considered the above revisions to the project on August 8, 2006 (see Attachment 6 for Meeting Minutes) and directed staff and the applicant to address the issue concerning impervious surfaces. Council further directed staff to facilitate the involvement of the Tree Guild concerning the issue of tree removal and protection. In response to Council concerns, the applicant has provided additional information and analysis as follows:

1. Revised Commercial Building Design. The roof and floor plans for the proposed commercial building have been redesigned (see Attachment 7). Based on comments received from the Council and public regarding the bulk and mass of the building, the gable roofs were changed to hip roofs, the siding changed from vertical to horizontal to emphasize a horizontal dimension, and the Crown Street building frontage on the second and third floors was stepped back and replaced with outdoor patio areas which enables a view of the Victorian house above Crown Terrace.
2. Tree Removal. With input from the Tree Guild, the applicant hired arborist Carolyn Leach to assess tree removal and protection on the project site. Based on the arborist report (included as Attachment 8), a total of eighty-five (85) trees

are located on the subject property, all of which are proposed to be removed (see table below for tree inventory). The report recommends that the two (2) Coast live oak trees and the Canary Island date palm are good candidates for successful transplanting and that the remaining trees are too large, too diseased, or too problematic to transplant. The project is conditioned to transplant these trees at a suitable location on or off-site.

Tree Inventory

Quantity	Common Name	Botanical Name
70	Leyland cypress	X Cupressocyparis leylandii
5	Brisbane box	Tristania conferta
3	Willow	Salix laevigate
2	Coastal live oak	Quercus agrifolia
2	Cottonwood	Populus tricarpa
2	Myoporum	Myoporum laetum
1	Canary Island date palm	Phoenix canariensis

3. Crown Hill Turn Pocket, Speed Humps and Signage. The Public Works Department recommends that the Crown Hill entry be improved with a left turn pocket and marking the entrance area with a "keep clear" message. Speed humps along Le Point Street and speed limit signage can be installed if directed by Council.
4. Street and Project Lighting. Representatives from PG&E have indicated that the City can recommend the type, location and style of lighting, both along the Right of Ways and internal to the project. PG&E will accept the light standards into their maintenance system following their improvement by the developer. Included as Attachment 9 are examples of the style of street light standards recently adopted by the City for the Village area. Proposed are low profile, pedestrian oriented light standards within the residential areas of the Creekside project.
5. Flood Plain Management District and FEMA Floodplain. City Ordinance No. 501 and the Flood Insurance Rate Map (FIRM) that was prepared by the Federal Emergency Management Agency (FEMA) were reviewed to confirm compliance with the requirements. Residential development located in an "A" zone must have the lowest floor elevated at least one foot (1') above the base flood elevation, exclusive of areas used for parking or storage areas. Attachment 10 is a FIRM map exhibit illustrating that the majority of the project site is within the flood zone. Garages shall conform to City requirements and storage cabinets shall be elevated in the event of a flood situation.
6. Existing Impervious Surface/Drainage Retention. GeoSolutions, Inc. prepared a geotechnical investigation on the property that included six (6) site borings and a soils analysis (Attachment 11). The report indicates that the site is covered with a five to twelve inch (5" – 12") base layer and that the existing surface

conditions at the site provide near impervious surface drainage. The fact that the proposed project represents a significant decrease of impervious surface area was assessed to determine the need for an on-site drainage retention basin. However, based on the "Detention Basin Analysis" prepared by the Wallace Group dated June 2006 (Attachment 12), it is not advisable to include local detention basins on sites within Flood Management Zone B (the project site lies within this zone). Stormwater detention is therefore not recommended for the proposed project due to the lack of effectiveness in benefiting the later-occurring peak flow in the creek and the potential for increasing peak flow rates downstream as a result of the lag time associated with the peak creek flows.

7. Upper Floor Parking Garages. The applicant contacted building officials and inspectors at the Cities of Pismo Beach and San Luis Obispo, as well as the County of San Luis Obispo regarding the safety and construction drawbacks to having parking garages above living spaces. The response from these agencies was that if the structure is designed and constructed in accordance with the Uniform Building Code and structural engineering specifications, there have been no reported problems.

Project Description

The proposed project is a reconfiguration of twenty-three (23) underlying lots into thirteen (13) lots, and a mixed-use development composed of 12 duplexes, a 12,000 square foot commercial/office building, and potential conversion of existing structures (two residences) to commercial uses (see table below for square footage and coverage information). The warehouse is currently occupied by a fabric store (Chameleon). Primary access to the commercial development is from East Branch Street and Crown Hill and the residences have access from either Crown Terrace or Le Point Street. Currently, the plans do not include a controlled entry gate between the residential and commercial uses, as depicted on earlier plans. The Conceptual Landscape Plan shows rail bed gravel along the old Pacific Coast Railroad right of way in an effort to simulate and preserve this historic feature.

Project Statistics:

Site Area	121,205 s.f. (2.78 acres)
Existing Impervious Surface Area (buildings, driveways, walkways, parking – impervious surface area from FEIR Sec. 4.7-6, less area now not a part)	117,778 s.f.
Proposed Project Footprints/Coverage:	
(e) Warehouse	5,880 s.f.
(e) House (Maud)	962 s.f.
(e) House (Hilde)	834 s.f.
New Commercial	4,421 s.f.
New Residential (Plan A, 4 buildings)	9,284 s.f.
New Residential (Plan B, 8 buildings)	9,296 s.f.
Parking, Drives, Walks/Patios	43,257 s.f.
Total Impervious Surface Area (proposed project represents a 36% decrease in impervious surface area)	73,934 s.f.

Residential Plan "A" contains eight (8) units in four (4) buildings with access from either interior drives at grade level, or above from Crown Terrace. The duplexes are three (3) levels with individual units ranging from 1,940 to 2,595 square feet. Residential Plan "B" contains eight (8) primary units and eight (8) second units in eight (8) buildings, all two (2) stories with access from interior drives. These units are smaller, from 420 to 1,303 square feet in size (with optional plan for a larger, 1,523 square foot unit). The commercial structure has three (3) levels with an elevator and two-story parking garage accessed from Crown Terrace and at grade level. The project is conditioned to not exceed the thirty-six foot (36') height limit for the Village Mixed Use (VMU) district. The architectural style of the complex is a mix of Craftsman and California Bungalow. Per the originally adopted 2003 Housing Element (the tentative map is vested under that Housing Element), the project is subject to a 10% inclusionary requirement, or two (2) units.

Environmental Review

City Council certified the Final Environmental Impact Report (FEIR) for the project in September 2003. An Addendum has been prepared for the project to evaluate the potential environmental impacts of the revised project (see Attachment 13). Per the California Environmental Quality Act (CEQA), the Lead Agency (the City) shall prepare an addendum to an EIR only if minor technical changes or additions are necessary to make the EIR document adequate, and the changes made by the addendum do not raise important new issues about the significant effects on the environment. The Addendum must be considered prior to making a decision on the project.

The Addendum provides information to the City Council on the changes to the site plan, changes to environmental impacts resulting from these revisions, and conclusions about the potential changes in impacts. Focused issues addressed in the Addendum include the following:

- Parking
- Traffic/Access
- Historical Resources
- Recreation
- Biological Resources

Section 21081.6 of the Public Resources Code requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon a mitigated negative declaration or an environmental impact report (EIR). The monitoring or reporting program (MMP) must ensure implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified in the mitigated negative declaration or EIR.

The MMP is required for all mitigation measures adopted by the City as conditions of the project approval. When the City certified the FEIR, the City agreed to adopt all mitigation measures identified in the FEIR for the project, and the mitigation measures shall be required to avoid potentially significant adverse environmental impacts. The MMP, included as Attachment 14, contains the relevant mitigation required for the original project and new mitigation for the revised project.

Parking

Total proposed parking for the project has been reduced by four (4) spaces with retention of the warehouse side loading dock and rear addition (see table below for parking calculations). Parking is considered adequate by utilizing the parking reduction provision in Development Code Section 16.56.050, which allows up to a 20% parking reduction for mixed-use projects. The loss of four (4) parking spaces represents a 3.4% parking reduction.

Parking Requirements

Residential Units	Required Parking	Proposed Parking
Second Residences (8 units)	1 per unit = 8 spaces uncovered	1 per unit = 8 spaces (uncovered)
2 Bedroom (8 units)	2 per unit + 0.5 per unit for guest parking = 20 spaces	2 per unit + 2 guest spaces = 18 spaces
3 Bedroom (8 units)	2 per unit + 0.5 per unit for guest parking = 20 spaces	2 per unit + 5 guest spaces = 21 spaces
Subtotal:	48 spaces (32 covered and 16 uncovered)	47 spaces (32 covered and 15 uncovered)
Commercial	1 per 300 sq. ft. of floor area	
Existing Warehouse	19 spaces	19 spaces
Existing Residences	11 spaces	8 spaces
New Office/Retail	40 spaces	40 spaces
Subtotal:	70 spaces	67 spaces
TOTAL:	118 spaces	114 spaces
DIFFERENCE:	- 4 spaces	

Traffic/Access

The original project included the property developed with an office building and storage units adjacent to Tally Ho Creek. This one (1) acre property, which has the only direct driveway access from East Branch Street, was sold. The applicant recently secured an access agreement from the adjacent property owner to the west, significantly improving access and site circulation. As mentioned above, residential traffic will access the site from either Crown Terrace or Le Point Street.

In response to concerns of turning movement conflicts with the Paulding Middle School AM and PM peak hour traffic, a separate Site Access Analysis was conducted by Associated Transportation Engineers (ATE), dated February 11, 2005. The analysis concluded that the proposed access at Crown Hill would not adversely impact the projected level of service (LOS) A-B. As added mitigation, however, ATE recommended that a "KEEP CLEAR" zone be painted in front of the Crown Hill driveway to accommodate left hand turn movements into the project. Since a "keep clear" area would not always be obeyed and requires enforcement, staff determined that a left turn pocket into the project site would be a superior solution (MM 4.11.1). The road is wide enough at this location to install a left turn pocket and allow sufficient room for cars to pass through. To accomplish this, the curbs on Crown Hill must be painted red up to Crown Terrace (red curb already exists for half the distance).

ATE also conducted a Stop Sign Warrant Analysis dated February 23, 2005 for the intersection of Le Point Street and Crown Terrace. The study concludes that the traffic volumes, delays and speeds at this intersection do not warrant an all-way stop or a partial (two-way) stop. Staff believes that other criteria (such as sight distance and safety) besides that contained in the Caltrans Traffic Manual, apply to this intersection that favor the installation of a multi-way stop configuration with crosswalks as follows:

- ◆ Since the project will provide a new pedestrian sidewalk on the west side of Crown Terrace, pedestrians must be able to safely access the existing crosswalk on the north side of Le Point Street east of the intersection. In accordance with the requirements of Municipal Code Section 6-02.12, crosswalks shall be installed on the west and northern legs of the intersection to discourage pedestrians from crossing Crown Terrace on the south side of the intersection. City will not allow crosswalks to be installed at uncontrolled intersections.
- ◆ There are also considerations for traffic circulation due to the offset geometry of Crown Terrace entering Le Point Street. The centerlines of the northern and southern legs of Crown Terrace are offset by approximately 50 feet. The Caltrans Highway Design Manual Section 403.3 also discourages roadways entering intersections at an angle skewed more than 30°. The current configuration of the northbound lane of Crown Terrace enters the intersection at an approximate 50° angle. The northbound lane must be reconfigured to enter the intersection at a 90° angle. This will enable northbound traffic to better negotiate the left turn onto westbound Le Point Street.
- ◆ The steep grade of eastbound Le Point Street and the inadequate corner sight distance of northbound Crown Terrace onto Le Point Street qualify as "Undesirable Geometric Features" for intersections in accordance with Caltrans Highway Design Manual Section 402.2.

Historical Resources

The EIR determined that the main house has historical significance (i.e. is eligible for listing in the California Register of Historic Places) and that the warehouse contributes to the "setting" of the main house, but by itself is not considered historically significant. The revised project retains all existing structures, which changes the environmental determination from a Class I impact (significant and unavoidable) to a Class IV impact (beneficial) and Class II (Significant but mitigable).

A new mitigation measure (MM 4.4.1) has been added requiring the co-applicant and the new owner of the property to register the main residence in the California Register of Historic Places through the State Office of Historic Preservation (OHP). Any change to the "R3" occupancy classification or any physical alteration also requires consistency with the Secretary's Rehabilitation Standards and Guidelines (36 CFR part 68) or technical advisories (MM 4.4.2).

Recreation

The original project included several open space/recreational amenities, including an amphitheatre and pedestrian trail network along the creek and throughout the project. Because the project site is an acre smaller in size resulting from the sale of the office property, recreational opportunities are reduced. However, the residential component of the project does incorporate an open space area that includes a play structure, picnic table and bench adjacent to the creek. As mitigation, the applicant is required to record an open space easement (MM 4.3.30 and MM 4.3.31). Overall, the project includes approximately 56,284 square feet (1.29 acres) of open space.

Biological Resources

As with the recreational opportunities described above, the opportunity for enhancement of Tally Ho (Corbett Canyon) Creek is also reduced due to the exclusion of the existing office property. As mitigation, the applicant is required to record an open space agreement and a twenty-five foot (25') creek public access and maintenance easement measured from top of bank. The creek easement must also include provisions for a pedestrian trail (MM 4.4.30). The project is further required to construct a non-erosive footpath to the creek (MM 4.4.31).

PUBLIC COMMENTS:

A public hearing notice was sent to all property owners within 300 feet of the proposed project and a public notice was placed in the Tribune. Included as Attachment 15 are letters received previously for the August 8, 2006 meeting. Also attached is a letter from Adair and Trudy Brown, owners of the warehouse property, dated October 18, 2006 (see Attachment 17).

ALTERNATIVES:

The following alternatives are presented for Council consideration:

1. Take tentative action to approve the project and direct staff to return at a subsequent meeting with a supporting resolution (Draft Resolution included as Attachment 16);
2. Take tentative action to deny the project and direct staff to return at a subsequent meeting with a supporting resolution; or
3. Provide other direction to staff.

Attachments:

1. Planning Commission Meeting Minutes of April 19, 2005
2. City Council Meeting Minutes of June 14, 2005
3. Reciprocal access agreement
4. Exhibits Submitted by Applicant
5. Drainage Calculations
6. City Council Meeting Minutes of August 8, 2006
7. Commercial Building Elevation Exhibits
8. Arborist Report prepared by Carolyn Leach dated September 1, 2006
9. Examples of street light standards
10. FIRM Map

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11. Geotechnical Investigation by GeoSolutions, Inc. dated September 19, 2006
12. Detention Basin Analysis prepared by the Wallace Group dated June 2006
13. EIR Addendum for the Creekside Mixed-Use Center
14. Mitigation Monitoring Plan
15. Letters received for the August 8, 2006 City Council Meeting
16. Draft Resolution of Approval
17. Letter from Adair and Trudy Brown dated October 18, 2006

**MINUTES
PLANNING COMMISSION
APRIL 19, 2005**

**ATTACHMENT 1
(OF ATTACHMENT 1)**

Commissioner Parker made a motion, seconded by Commissioner Tait to schedule consent items 3, 4 & 5 to a public hearing, date uncertain.

The motion was approved on the following roll call vote:

AYES: Commissioners Parker, Tait, Fellows, Keen and Chair Brown
NOES: None
ABSENT: None

III. PUBLIC HEARING ITEMS:

A. VESTING TENTATIVE TRACT MAP CASE NO. 04-004; APPLICANT – DB & M PROPERTIES, LLC; LOCATION – 415 EAST BRANCH STREET (continued from April 4, 2005 meeting).

Associate Planner, Ms. Heffernon, gave a brief update of the proposal for the mixed use development; stated that the Commission had previously considered this at a special hearing on April 4, 2005; stated that site access, stop sign warrant analyses (conducted by Associated Traffic Engineers) and retention of the loading dock on the east side of the warehouse were discussed at the meeting. Ms. Heffernon further discussed water supply, stating that measures had already been included in the EIR addendum; the level of significance may have to be changed from significant and unavoidable to potentially significant but mitigable; adoption of overriding considerations is therefore not necessary. In conclusion, Ms. Heffernon stated that staff recommends the Commission adopt a Resolution recommending approval of the project to the City Council subject to Conditions of Approval.

Commission Comments:

Keen:

- He was ready to move forward with approval of this project.
- He would like to add a mitigation that all the drives on Crown Terrace be sloped down toward the street for safety.
- Agreed with the four-way stop.
- The 25-foot setback should be clarified with subdivision; there seems to be conflict with the requirements for other projects.
- The gate between the commercial and residential should be an access for emergency vehicles only and not a through gate.

Parker:

- Is in favor of reducing parking in the commercial area in order to retain the portion of the historical barn and the square footage of the 2nd building.
- The creek walk/access to the park should be retained; the City should maintain the park; it should be opened up and made larger (by losing one of the units).
- Commercial and residential parking should be open; visitor parking could be signed; remove the gate to make parking more accessible to the duplexes.
- Cannot understand what the building materials would look like from the drawings; would like them to match the barn and look more historic; not in favor of corrugated metal painted green (needs to look more rustic); ARC may have ideas; not in favor of stucco, it's too modern.

- The design of the 3-story duplexes is very innovative; likes the density; has concern that the 3-story may look large; would like each duplex to look individual to lessen the impact.
- There is already a problem in this area with the traffic; mitigations may improve it.
- Putting in a sidewalk and railing for the pedestrian walkway may make it better; concern with safety of backing out onto Crown Terrace and putting in sidewalk along a narrow of 24 feet; not sure how this will work and concern that it will be a problem.
- The duplexes are very large; suggest the square footage be reduced to allow more green space and this in turn could eliminate some other problems and make them more affordable.

Fellows:

- Asked if the sketch submitted by Mr. Balgeman had been considered by staff.
- The site is a good place for homes and makes a walkable community; the proposed commercial development would help with sales tax revenue also.
- The Crown Terrace sidewalk is badly needed; the proposed four-way stop is needed and the proposed curb should be squared up for safety.
- There are negative impacts for the neighbors on Crown Hill due to the size of project, the number of units proposed and the serious circulation problems as proposed - one entrance and exit only at a snarled up corner.
- The gate was proposed to stop people from driving through the commercial area out onto LePoint Street; he could not support the circulation as it was now.
- Pedestrians should have a place to walk separate from the driveway; suggested a pathway between the barn and Maud's house and a raised textured walkway from the residential units and out along the pathway to the sidewalk.
- If this project were approved as proposed the result in traffic snarl would be ridiculous and unacceptable.
- If egress (exit through the Hayes property) is not obtained and if an easement for foot traffic is not worked out, the project should be started from square one with a much reduced plan for the front and rear phases; if the egress is obtained the project should be modified with no more than 20 residential units; 8,000 sq ft of commercial; a lower street front profile. This may mean no third story units and no second level parking units on Crown Terrace; the project needs a card key gate between the commercial and residential; ingress near the present barn with angled parking with access out the back; a safe walkway from the residential areas; the rear portion of the barn and the loading dock retained; garden area between Hilde's house and old stone wall left as is and because of the amount of asphalt, etc. there should be one or more retention basins/biological filters to treat water before it runs off into the creek.
- If he is overruled and there are homes on Crown Terrace there should be no backing out; hammerhead driveways are the only way to go.
- If the neighbors above do not want street lights, they should be an option.
- If there is a 2-story parking garage the roof should not be open.
- A scale model of the project is required.
- A left turn pocket does not in any way mitigate the loss of egress through the Hayes property.
- The circulation is unacceptable.

Tait:

- This project can achieve goals of the City, provide housing options and create walkable neighborhoods and expand transportation choices. It reduces land consumption; likes proximity to Village and enhances community; supports Village shops; connects people with places.
- He has serious concern with potential flooding even though this has been addressed in the EIR; he had spoken to Gordon Bennett who gave him history of flooding in the Village who said that the Tally Ho Creek should be cleared out.
- He read excerpts from the DEIR by Duffy & Assoc. which stressed the potential for flooding in the area of the project site; read excerpts from mitigation measures for the Town Center EIR (a proposal on the same site in 1980); he would like to get an update on these concerns.
- As requested in the April 4, Planning Commission minutes, who is going to take care of the creek clean up. The EIR does not specify this.
- The removal of any part of the structure of the historic barn should not take place.
- Could not support the removal of the back loading dock to provide additional parking.
- There have been more than twenty public comment letters received regarding concerns with traffic, driveway backing out onto Crown Terrace and pedestrian safety – he shares these concerns.
- The proposed yellow curb for commercial deliveries would take away from street parking for the other businesses.
- The project may be too dense if delivery trucks cannot get into the project to deliver; he hopes there is room for emergency vehicles.
- Concern about the loss of open space and recreational amenities that were included in the original project and the opportunity for enhancement of the Tally Ho Creek is reduced due to the sale of the existing office property.
- He recommended: Reduce the residential buildings in Plan 'A' by one (decreasing the number of driveways on Crown Hill); reduce number of buildings in Plan 'B' by one, this would help accommodate the large delivery trucks and would provide for expansion of the creek area located at top of creek.
- A scale model is definitely needed before going to City Council.

Brown:

- He would like to see the Commissioner's diverse points of view reflected in detail in the minutes for City Council.
- Read the four findings required for approval of the project; he could not make finding No. 3, regarding historic resources due to the proposed alteration of the back portion of the barn to provide parking spaces.
- He agreed with Commissioner Keen's comments regarding the driveway slopes.
- There should be no gate; this should be a relief route for pedestrians; there should be a "look-back" provision of 6 months to one year; if not successful, a gate could then be put in.
- Agrees with the suggestion from Commissioner Parker to reduce the retail space for parking.
- Agrees with possibility of reducing future uses of the barn to preserve parking spaces lost by preserving the barn.
- Access to the creek is an important issue.
- A model of the project should be required to provide a level of comfort for the public, Commission and Council.

- Density: 3-stories is acceptable, but smaller units would make them more affordable.
- The retaining walls should be dealt with by staff before going to Council.
- Circulation: The developer has made a problem by not having an access agreement before selling the property next door; he was leaning toward approval of the project because it would have less traffic than if it was a completely retail project; there is already a traffic problem in this area.
- He agreed with Commissioner Fellows regarding the stone garden wall, the side walks on north side of LePoint and the street lights; he was not sure if the left turn pocket lane would solve the problem and the "keep clear" signage should be included.
- He understands the neighbor's concerns with this project, but there will be a project at this site regardless, and while circulation is an issue he was likely to vote in favor of the project if the right motion could be crafted.
- He would like to see a recommendation to Council regarding creek clean up, flooding and good language to take care of the 100-year flood level.

Commissioner Tait asked Mr. Devens if an analysis had been done on the culvert, as recommended in the 2002 DEIR. Mr. Devens stated there is a study being done, currently being reviewed, for a property owner on the corner of Le Point and carried all the way down to East Branch Street.

Mr. Strong explained that flooding is evident on the property; it is addressed in the EIR and it is mandatory that the new development be protected from flooding or it would not be permitted; it is a Federal requirement and is in the Code.

Commissioner Keen stated that it was not the responsibility of the Commission to design the project; the Commission should either deny or approve the project.

Commissioner Fellows stated he would be more comfortable with a denial of this project as trying to craft a motion to include every concern could leave something important out.

After further Commission discussion, (on how they should move forward) Chair Brown stated that as the project is currently proposed a majority of the Commission have enough concerns that one or more of the findings cannot be met; he would like to see the project move forward in some positive manner; he asked the applicant if he would like to comment.

Joe Boud, the applicant's representative:

- This proposal has been before all committees for over a year with pre-application review to gain insight and make adjustments.
- He is fine with the suggestion of sloping the drives down; losing the gate; minor adjustments to the building materials, even though the ARC has already recommended approval of this project as submitted.
- Traffic: The conclusions from the traffic study indicated the LOS was not going to be affected; there were no major traffic problems except during school rush hour.
- Having a walkway between the Barn and Maud's house is a good idea.
- Crown Terrace: 24-foot street width is equal to two travel lanes.

- Unit max count and square footage: We meet the City's zoning code and the project was designed with this in mind.
- Regarding the loss of the 6 parking spaces and the barn, the applicant would agree to retain the barn in it's entirety if the Commission would be willing to approve a parking reduction if that portion of the barn were to convert to a full retail use; losing square footage on the new commercial building to reduce parking requirements would be a problem.
- The size of units is directed by the footprint and the garage on the top level, etc; it would not work to squeeze down the units; he explained all the constraints that had to be considered.
- If City can avoid street lights, that would be fine with them.
- The creek and flooding: The permitting authorities will take care of this; it is all part of the EIR.
- Open space and recreational usage: Approximately 25% of the site is dedicated to open space; they would not be in favor of reducing the units to provide more.
- Widening Crown Terrace would require a massive retaining wall and they did not consider this necessary.
- They could do a scale model.
- He would like the Commission to make a recommendation that includes their concerns.

Fellows:

- Why do the "out of town" experts state that there will not be a traffic problem at this site even though the traffic experts failed to see the traffic problem at Rancho Grande. *Mr. Boud – he could only speak for the traffic report at this development and they have indicated that the LOS would not be negatively affected with this project.*

Tait:

- Who is going to do the creek clean up? *Mr. Boud – the applicant with the required agency approvals; the creek walkway system if it extends up to Tally Ho could be created for the benefit of the public; could be conditioned to identify this as a desired goal; they believe they have enough open space (25% of the site).*
- The scale model is definitely needed. *Mr. Boud – suggested that the City incorporate this as a requirement into the application process.*

Parker:

- Asked Mr. Boud to clarify if they intended to open up the park for the public. *Mr. Boud – if the City would maintain the area and the amenity area included as a credit to the development.*
- Asked if there was a pedestrian access between the Barn and Maud's Home would they agree to continue the path to the park if the City would maintain it? *Mr. Boud – agree this would be a good idea for the City.*
- Re the design submitted by Mr. Balgeman: How do you plan on putting up guard rails along the driveways and still maintain visual access for backing out. *Mr. Boud – it could be done without a solid wall and would meet the building standards.*

After further discussion the Commission agreed that they were ready to make a motion with some recommendations to Council.

Commissioner Fellows made a motion, seconded by Commissioner Tait to recommend denial of the proposal based on the inability to make finding #2 that the project will affect public health and safety.

Chair Brown asked that the motion be amended to include finding No. 1 (as it is not consistent with the goals and objectives of the City), and finding No. 3 (for historic resources as the applicant is proposing to remove the back portion of the barn).

The motion was amended:

Commissioner Fellows made a motion, seconded by Commissioner Tait to recommend denial of the proposal based on the inability to make findings No. 1, 2 and 3.

Commissioner Parker asked if the motion to deny was based on the findings not being met in the current proposal and that it does not include what the developer is willing to change? She would like a motion to state what the developer is willing to change.

Chair Brown stated that the motion to deny was based on the findings in the current proposal.

The motion was approved on the following roll call vote:

AYES: Commissioners Fellows, Tait, Parker and Chair Brown
NOES: Commissioner Keen
ABSENT: None

Discussion:

Chair Brown stated he wanted to make sure that the Council would be aware of all of the issues that the Commission had concerns with. Commissioner Keen asked if more specific detail should be included regarding the findings for denial. Chair Brown added that regarding finding No. 1 he did have some concerns for pedestrian access to the creek, pedestrian recreation area and if the terms of the General Plan are being met by the open space. Commission Fellows stated that he had not made specific mention in finding No. 1 that the lack of bio-filtration of run off water as one of the concerns for public health and taking off the back of the barn (finding 1 & 3).

Chair Brown made a motion that the project could meet the findings if the following issues were dealt with:

1. The driveways on Crown Terrace should be level or down sloped to the street.
2. The barn should be preserved in its entirety with net loss of three parking spaces and include a parking reduction for the barn or reduction in the proposed retail space to accommodate the loss of three parking spaces.
3. Provide public access to creek and park open space area.
4. There should be no gate, but have a "look back" provision to reassess after one year. Enough space should be left if it is determined that a gate is necessary at a later date.
5. The building design, height and materials should go back to ARC and Planning Commission before issuance of a building permit.final development.

6. There should be further determination and detailed description of any retaining walls along Crown Terrace.
7. The issue of biological creek filters should be included in the staff report to Council
8. A model to scale of the project in its entirety should be presented to Council.
9. The project should be reduced by one unit in Plan 'B' to improve on-site loading and parking.
10. The creek access between the Barn and Maud house should be opened up to provide a pedestrian path out to the sidewalk.

Commissioner Tait asked if the Branch Street flood study of the culvert would influence the project? Mr. Devens replied that it is currently under review, but is not for this project.

Commissioner Tait asked again about the clean up of the creek and stated his concern.

Chair Brown said he would amend the motion to state: **"the staff report shall include that some investigation be done as to the process timelines and responsibilities of clean up of the creek"**.

Commission Parker seconded the motion.

Commissioner Keen stated he agreed that it was very important to clean up the creek, but that he did not think it was the developer's problem and felt instead that it is the City's responsibility. He requested an additional amendment to the motion to include the 4-way stop and the 3-way stop be lit and one street light in the middle of Crown Terrace (but not at the same spacing as downtown).

Commissioner Parker stated that street lighting for residential areas could be applied to this, not Village commercial lighting.

Chair Brown said he would amend the motion to investigate if Crown Terrace could have residential lighting as opposed to commercial Village lighting.

Commissioner Fellows questioned the reason for eliminating the gate; Chair Brown stated to make full use of the mixed use design parking, but the "look-back" provision should be included.

Commissioner Fellows stated circulation is a huge problem, fewer units will not help, there is lack of a biological filter for drainage to the creek and where Crown Hill stops at Branch Street there should be a crosswalk, with or without the project.

The motion was approved on the following roll call vote:

AYES: Chair Brown, Commissioners Parker and Tait
NOES: Commissioners Keen and Fellows
ABSENT: None

The Commission took a 10-minute break.

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Council Member Arnold moved to adopt a Resolution as follows: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ESTABLISHING WATER AND SEWER RATES AND CHARGES"**, and approving the tiered rate structure with yearly usage monitoring. Following discussion, the motion was amended to include that the tiered water rate schedule would be implemented as soon as feasible and a water conservation status report would be provided a year from the date of implementation. Council Member Guthrie seconded the amended motion. Following further discussion concerning monitoring and reporting, the motion carried on the following roll-call vote:

AYES: Arnold, Guthrie, Dickens, Costello, Ferrara
NOES: None
ABSENT: None

Council Member Arnold moved to adopt a Resolution as follows: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE SETTING FORTH THE AMOUNT OF LOPEZ CONTRACT CHARGES"**. Council Member Dickens seconded, and the motion carried on the following roll-call vote:

AYES: Arnold, Dickens, Guthrie, Costello, Ferrara
NOES: None
ABSENT: None

At 8:25 p.m. at the request of Council Member Dickens, the Council unanimously agreed to take a recess to allow time to review correspondence received at the beginning of the meeting relating to Item 9.c.

Mayor Ferrara reconvened the meeting at 8:38 p.m.

9.c. Consideration of Vesting Tentative Tract Map Case No. 04-004 and Planned Unit Development Case No. 04-001; Applicant – DB & M Properties, LLC; Location – 415 East Branch Street.

Associate Planner Heffernon presented the staff report and recommended the Council consider an Addendum to a certified Environmental Impact Report and a proposal for a commercial retail, office and residential project. The Planning Commission recommended the City Council deny the project as presented at the April 19, 2005 Planning Commission meeting. Associate Planner Heffernon noted that the applicant had since made changes to the project in accordance with Planning Commission and public comment. Staff responded to questions from Council.

Mayor Ferrara opened the public hearing.

Joe Boud, Joseph Boud & Associates, spoke on behalf of the applicant and gave a brief background presentation on the status and design of the project which has been in progress for the past five years. He stated that the proposed mixed-use project had been presented to the Council as a pre-application last year in order to better understand the City's goals and expectations for the site. He stated the project had been reviewed by the Staff Advisory Committee, Architectural Review Committee (ARC) and Planning Commission and support letters had been provided by the Chamber of Commerce and Village Improvement Association. He explained that the project had been redesigned as a result of feedback received. He referred

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to Conditions #79 and #94 and suggested a change to the requirement for full sidewalk improvements along Le Point Street; had agreed to the down slope driveways on Crown Terrace; commented that the barn had been retained; referred to Condition #6 which requires an open space agreement and a trail easement; commented that the applicant agreed to eliminate the gate between the residential and commercial components; stated that the driveway between the barn and Maude house had been eliminated; stated they had also agreed to return the project back to the Planning Commission and ARC and suggested that a condition for this be added; noted that a guard rail sample had been provided which would be reviewed by the Planning Commission and ARC; noted that a storm drain filter sample had been provided; and noted that a scale model of the project had been prepared. He commented that the creek cleanup and restoration comments made at Planning Commission would be managed through the mitigation-monitoring program as specified in the EIR, as well as compliance with the flood control ordinance. He stated that they agreed to modify the streetlights, which may require a change to Condition #72. He concluded by stating that almost every item the Planning Commission brought up was incorporated into the project with the exception of the loss of one residential unit. He stated the project complies with all development code standards; the commercial building was designed to compliment the Loomis building, and the bungalow style residential units were designed to compliment the Village. He stated he hoped this was a project the Council could support. Mr. Boud responded to questions from Council concerning circulation issues surrounding the project; the proposed height of the commercial building; the proposed trail easement, proposed fencing, and clarification concerning required setbacks.

Earl Balgeman, Le Point Street, spoke in opposition to the proposed project and stated he had only heard about this project in January. He suggested involving the neighborhood earlier, at the beginning of the process. He expressed concerns regarding safety on Crown Terrace and Le Point Street due to increased traffic generated from the development, density of the proposed project, as well as ingress and egress from Crown Terrace.

James Norby, Le Point Street, opposed the design of the project and said it did not make sense to have 24 units exiting the development onto a dead-end street. He also said he heard the adjacent property owner would not grant an easement and that this should be required so a driveway could be used from E. Branch Street.

Carol Fulmer, Le Point Street, asked that the project include a crosswalk where the sidewalks on Crown Terrace and Le Point already intersect near the proposed island. She expressed concern that the growth of this area has not yet been addressed and it was not fair to dump the traffic from a mixed-use project into a well-established urban area; agreed that the traffic should be put onto the commercial streets and not back into the neighborhood.

Bill McCann, Crown Hill, began by stating that the proposed Creekside Center should eventually be approved in some form and, if done properly, it will be a fine addition to the City. However, he expressed concerns about traffic impacts on E. Branch Street at the corners of Crown Hill and Crown Terrace. He believed that a complete evaluation of the subject property, the Hayes property, and the Scolari property should be done to determine how best to handle all of the traffic within the boundaries of E. Branch Street, Crown Terrace, Le Point and Mason Streets. He spoke of previous traffic studies. He displayed photos (on file in the Administrative Services Department) showing vehicles at these locations during peak hour traffic. He stated he did not believe that even with the proposed driveway relocation and an added left turn lane, that it would be adequate to service the development. He also stated it was imperative that a reciprocal access agreement be obtained with the adjacent property owner to the west and stated that without this agreement, the size of the project should be reduced. He suggested if the project was reduced, to eliminate the upper residential units on Crown Terrace.

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Ann Balgeman, Le Point Street, referred to the letter she wrote to the Planning Commission which included 37 signatures of her neighbors opposing the scope of the project as it relates to traffic and safety impacts, and asked the Council to visit the site and walk the streets surrounding the project site.

Barbara Freel, Le Point Street, referred to the proposed island along Crown Terrace and expressed concerns that it will be all concrete without any landscaping. She stated she was unhappy with the trees along Crown Terrace being removed and also expressed concern with lighting generated from the project and its impact to the residences.

Camay Arad, owner of Chameleon Fabrics on E. Branch Street, rebutted some of Mr. Boud's comments regarding redesign of the project; that the barn was retained (the barn was sold); and stated that not all of the Planning Commission's suggestions were addressed, including design materials for the commercial building and creekside access. She referred to the roofline of the proposed commercial building and objected to the metal roof. She noted that the design of the commercial portion should be cute, charming, and character driven to attract shoppers.

Steve Ross, Garden Street, commented that the project had gone through the ARC and was reviewed by people who were familiar with the Cityscape; believed that the project is outside the strictest area of architecture that would include the Village Core and is in the Village Mixed Use area as far as zoning. He said if the City intends to provide affordable workforce housing, projects like this within the core of the City is where it should be provided. He said he did not believe this project takes away from the rural feel of the City. He stated that the project should follow the City's guidelines.

Jacklin Pontarelli, Le Point Street, said there is a unique opportunity in the Village to provide a project that will benefit the citizens, merchants, and visitors. She spoke of the need to include businesses that will attract visitors and that those businesses have adequate parking.

Howard Mankins, Hillcrest Drive resident and owner of several businesses in the Village, stated he has lived here all his life and has watched the changes in the City. He said there is more to being for or against a project; what is good for the City is what counts. He commented on the water supply issue. He stated it was important for the Council to consider a project that brings in sales tax, offers some workforce housing, and stated that projects cannot economically assume all of the mistakes made around it. He noted that the Village Improvement Association supported this project and that this project would be good for the Village. He supported the proposed project.

Greg Moore, Village business owner and member of the Village Improvement Association, spoke in support of the project. He pointed out the project is compatible with the area and is a nice addition to the Village, provides a live/work environment, and noted that residents could walk to the Village for services.

Richard DeBlauw, property owner/applicant, stated that retired people who are interested in the project have contacted him. He spoke in support of the project.

Susan Flores, E. Branch Street, stated that she sees potential for this project; noted that the developer is a long time resident of the City; commented that Crown Hill needs to be opened up; and more sidewalks are needed for the kids. She supported the project as proposed.

John Gutierrez, E. Branch Street, commented that traffic is already coming from other areas of the City to the Village and he disagreed that the neighborhood would be impacted by additional traffic. He supported the proposed project.

Mike McConville, E. Branch Street, commented that backing out onto E. Branch Street is tough. He stated this was a good project and that he felt there was too much negativity surrounding the project. He suggested that sidewalks be installed on Crown Hill. He supported the project and encouraged the Council to provide the applicant with clear direction.

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Michael Bondello, McKinley, acknowledged that the City Council is very concerned with the details of the project as well as the neighborhood's concerns. He spoke about the existing traffic problems near Crown Hill and stated that this project will exacerbate the problem.

Ann Balgeman, Le Point Street, noted that the addresses of those who spoke in favor of the project are not directly impacted and do not live in the immediate vicinity of the project.

Joe Boud, applicant's representative, responded to public comments and spoke of the traffic studies that have been conducted and the level of service impacts. He also clarified that his reference to a redesign of the project was from the original 35,000 square foot shopping center to this proposed mixed-use project of 24 residential units and a 12,000 square foot commercial building. He encouraged approval of the project.

Hearing no further public comments, Mayor Ferrara closed the public hearing.

Council Member Arnold stated one of his concerns was the access through the west side of the property. He stated he could not support the project until that access is granted. He addressed the circulation issue; referred to the trees on Crown Terrace and suggested a way to save them; expressed concern with regard to the scale of the commercial building; requested story poles on the site; and concluded by stating that most of the issues could be resolved and this could be a good project. He reiterated that access to the west side of the parcel is critical.

Council Member Guthrie asked questions of the traffic engineer regarding Crown Hill and E. Branch. Mr. Dan Dawson replied that detailed studies, traffic, and pedestrian counts were conducted during a.m. and p.m. peak hours. Council Member Guthrie stated that he believes commercial use generates more traffic than residential; that the proposed improvements will return Crown Terrace to a residential street; the addition of a sidewalk on the west side also improves the street to a residential nature; and the driveways would contribute more to a residential nature of Crown Terrace. He stated the net affect is an improvement to Crown Terrace/Le Point. He expressed a concern about the creek setback/property line issue as it relates to the residential component. In terms of the commercial component, he acknowledged that there is a traffic problem at the intersection at certain times of the day; however, the overall effect at this intersection is not serious according to the City's policies. He shared concerns with the proposed scale/height of the commercial building. He said the addition of a second entrance on E. Branch is important and would improve the traffic congestion at Crown Hill and E. Branch. He concluded by stating that he would need clarification on the creek setback to ensure that houses are not being built within the creek setback, and agreed that the project needs the access easement for a second entrance on E. Branch Street. He stated that with those two additions he could support the project as designed.

Council Member Dickens stated he relies in part on observations and input from residents in the immediate area for traffic concerns. He reflected on the pre-application process which was review of a conceptual plan and an opportunity to provide input. He spoke about the focus and vision for the Village Core. He stated that he had preferred the original commercial project and did not support the large residential component as presented. He spoke about the site and said a project needs to capitalize on its assets, including creekside access, close proximity to the Village, and the historic features and buildings on the site. He objected to the size and scale of the three-story commercial building which dwarfs the existing barn; did not see adequate pedestrian access or pathways to the Village; and felt there were land use conflicts between the commercial and residential uses. He stated there was also a conflict between the residential and open space. He commented that historically, this parcel has had no access to Crown Terrace

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and that it needs to be widened and improved to City standards. He was not in favor of relinquishment of any easements along Le Point, and stated that future circulation and access issues need to be addressed. He noted that circulation within the development was imperative and that circulation must include access to the west. He suggested the applicant look at the assets this parcel provides, capitalize on those assets, and mitigate traffic circulation problems more effectively.

Mayor Pro Tem Costello inquired how many trees were proposed to be removed. He expressed concern with the left turn pocket as proposed; the driveway as proposed on E. Branch Street conflicts with Crown Hill intersection; stated that access from the west side of the property needs to be in place first; supported the four way stop at Crown Terrace and Le Point; did not have a problem with the driveways backing out into the street; noted that lighting impacts are mitigated and should not create a nuisance for the residential neighborhood; suggested a one year review period on an interior gate; agreed that pedestrian circulation needed to be improved; supported the proposed density and noted that in order to preserve agricultural in the City, we need to look at other areas for development; requested clarification regarding the open space and potential impacts to the homes; clarification regarding the creek setback; and stated at this point he could not support the project.

Mayor Ferrara asked staff to address the potential for phasing the project. Director Strong stated there was initially a recommendation to phase the project to defer the 12,000 square foot commercial building until the western access was obtained. He said the applicant has been in negotiations with the owner of the property located to the west.

Mayor Ferrara noted that a considerable amount of progress had been made on this project. He acknowledged existing problems surrounding the site. He stated that size, scale and intensity of use are the most critical issues in the Village. He stated he was pleased that negotiations were underway to obtain access to the western portion of the site. He agreed the creek setback and open space issues need to be clarified. He expressed appreciation for the three dimensional model; did not support the proposed roofline of the commercial building; stated that the commercial building needs to blend in better with the barn; supported the concept of "less verticality, more horizontality" and stated it needed to be softened and/or flattened. He liked the idea of phasing of the project overall for circulation purposes and stressed the need for a manageable circulation segment. He had issues with the results of the traffic study based on his actual experience. He stated with additional modifications, the project would work. He commented that live/work units are not working in this area and supported the concept of small residential units, with proper landscaping.

Council Member Arnold moved to continue to a date uncertain consideration of Vesting Tentative Tract Map Case No. 04-004 and Planned Unit Development Case No. 04-001; Applicant – DB & M Properties, LLC; Location – 415 East Branch Street. Council Member Guthrie seconded, and the motion carried on the following roll-call vote:

AYES: Arnold, Guthrie, Costello, Ferrara
NOES: Dickens
ABSENT: None

Mayor Ferrara requested, and the Council concurred, to move Agenda Item 10.a. up on the Agenda for consideration prior to Item 9.d.

ATTACHMENT 3

(OF ATTACHMENT 1)

RECORDING REQUESTED BY:

DB&M PROPERTIES, LLC

AND WHEN RECORDED RETURN TO:

J JOHNSON

P.O. BOX 3

GROVER BEACH, CA 93483

ORIGINAL
to be
recorded

RECIPROCAL GRANT OF EASEMENTS FOR INGRESS AND EGRESS

Preamble

This Agreement made this 29th day of April 2006, by and between Milton F. Hayes and Mary J. Hayes, husband and wife, hereinafter referred to as "HAYES", and DB&M Properties, LLC, a California Limited Liability Company, hereinafter referred to as "DB&M", and C. Adair Brown and Trudy Ann Brown, husband and wife, hereinafter referred to as "BROWN".

Recitals

WHEREAS, "HAYES" is the owner of certain real property, commonly known as 405 East Branch Street, Arroyo Grande, State of California, described as follows:

[SEE EXHIBIT "A" FOR LEGAL DESCRIPTION]

WHEREAS, "DB&M" is the owner of certain real property in the city of Arroyo Grande, State of California, described as follows:

[SEE EXHIBIT "B" FOR LEGAL DESCRIPTION]

WHEREAS, "BROWN" is the owner of certain real property commonly known as 415 East Branch Street, Arroyo Grande, State of California, described as follows:

[SEE EXHIBIT "C" FOR LEGAL DESCRIPTION]

WHEREAS, the parties desire to acquire certain rights in the Servient Tenements owned by the other:

Now, therefore, it is agreed as follows:

Grant of Easements

1. For valuable consideration in the form of reciprocal easements granted herein and other valuable consideration, "HAYES" hereby grants to "DB&M" and "BROWN"; and "DB&M" hereby grants to "BROWN" and "HAYES", and "BROWN" hereby grants to "HAYES" and "DB&M" reciprocal easements as hereinafter described.

Character of Easements

2. The easements granted herein are appurtenant to the Dominant Tenements described herein.

Description of Easements

3. The easements granted herein are for shared use of common driveways for ingress and egress to the dominant tenements only.

Location

4. The easements granted herein are located on the diagram marked as Exhibit "D" attached to this Agreement. The legal description of those easements is attached as Exhibit "E".

Exclusiveness of Easements

5. The easements granted herein are for the exclusive, mutual use of "HAYES", "BROWN" and "DB&M", and no other parties shall be allowed access or use thereof.

Secondary Easements

6. The easements granted herein include incidental rights of maintenance, repair, and replacement.

Maintenance

7. "DB&M" and "BROWN" and all their successors (as described in paragraph 11 below) shall maintain the easements in a good and clean condition which shall include a good quality seal coat every three (3) years or sooner if necessary, repair and replacement of asphalt when necessary and other maintenance to keep the easements in good condition. "DB&M" and "BROWN" shall pay for all of the maintenance as and for part of the consideration for this Agreement. "HAYES" and their successor (as described in paragraph 11 below) shall pay no cost of maintenance, repair or replacement.

Should the easements be in need of maintenance, any party to this Agreement may notify the parties responsible for maintenance, in writing, of the maintenance required. The responsible parties shall have 90 days to complete the necessary maintenance. If the necessary maintenance is not completed in 90 days, weather or act of God an exception, then any party may pay to have the maintenance done and collect the actual costs plus 20% as agreed upon liquidated damages, plus attorney's fees if necessary to collect by court action.

Insurance

8. "DB&M" and "BROWN" shall name "HAYES" as an additional insured and keep a liability insurance policy in effect on the easements of at least \$1,000,000.00.

Entire Agreement

9. This instrument contains the entire Agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing, signed by all of the parties to this Agreement.

Attorney's Fees

10. In the event of any controversy, claim, or dispute relating to this instrument or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorney's fees, and costs.

Binding Effect

11. This instrument shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors, and assigns of "HAYES", "DB&M" and BROWN".

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

"HAYES"


Milton F. Hayes


Mary J. Hayes

"DB&M"

DB&M Properties, LLC
a California Limited Liability
Company

By 
Richard P. DeBlauw, President

By 
James R. Matthews, Member

"BROWN"

C. Adair Brown

Trudy Ann Brown

STATE OF CALIFORNIA)

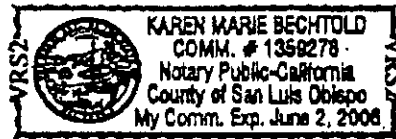
ss.

COUNTY OF SAN LUIS OBISPO)

On May 2, 2006, before me, Karen Marie Bechtold, a Notary Public for the State of California, personally appeared Milton F. Hayes and Mary J. Hayes, personally known to me or proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entities upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Karen Marie Bechtold
Notary Public



STATE OF CALIFORNIA)

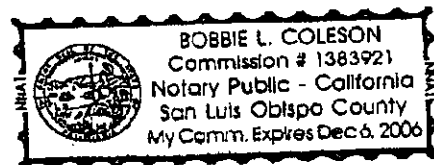
ss.

COUNTY OF SAN LUIS OBISPO)

On May 3, 2006, before me, Bobbie L. Coleson, a Notary Public for the State of California, personally appeared Richard P. DeBlauw and James R. Matthews, personally known to me or proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entities upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Bobbie L. Coleson
Notary Public



STATE OF CALIFORNIA)
)
COUNTY OF SAN LUIS OBISPO) ss.

On _____, 2006, before me, _____,
a Notary Public for the State of California, personally appeared
C. Adair Brown and Trudy Ann Brown, personally known to me or
proved to me on the basis of satisfactory evidence to be the
persons whose names are subscribed to the within instrument and
acknowledged to me that they executed the same in their
authorized capacities, and that by their signatures on the
instrument the persons, or the entities upon behalf of which the
persons acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

OPEN/WILTON HAYES/EASEMENT

LEGAL DESCRIPTION**EXHIBIT "A"****PARCEL 1:**

Lots 1, 2, 3, 4 and 29 in Block 38 of Beckett's Crown Hill Addition to the Town of Arroyo Grande, in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to map recorded in Book A, Page 57 of Maps, in the office of the County Recorder of said County.

PARCEL 2:

That portion of Tally Ho Street as shown on the map of Beckett's Crown Hill Addition to the Town of Arroyo Grande, in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to map recorded in Book A, page 57 of Maps, which was abandoned by Resolution No. 167 of the City Council of the city of Arroyo Grande, a Certified Copy of which was recorded November 20, 1953 in Book 734, page 255 of Official Records, that would pass by a conveyance as to Parcel 1 above.

PARCEL 3:

Lots 26, 27 and 28 in Block 38 of Beckett's Crown Hill Addition to the Town of Arroyo Grande, in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to map recorded in Book A, Page 57 of Maps, in the office of the County Recorder of said County.

PARCEL 4:

That portion of the street within Block 38 of Beckett's Crown Hill Addition to the Town of Arroyo Grande, in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to map recorded in Book A, Page 57 of Maps, designated on said map as "Street" which was abandoned by Resolution No. 72 of the City Council of the City of Arroyo Grande, a Certified Copy of which was recorded May 10, 1939 in Book 257, page 440 of Official Records, bounded as follows:

Southeasterly by the Northwesterly line of Lot 26 in said Block 38;
Northeasterly by the Northwesterly prolongation of the Northeasterly line of Lot 26 in said Block 38;
Northwesterly by the Southeasterly line of Lot 25 in said Block 38;
Southwesterly by the Northwesterly prolongation of the Southwesterly line of Lot 26 in said Block 38.

PARCEL 5:

That portion of Tally Ho Street as shown on the map of Beckett's Crown Hill Addition to the Town of Arroyo Grande, Arroyo Grande, County of San Luis Obispo, State of California, according to map recorded in Book A, Page 57 of Maps, which was abandoned by Resolution No. 167 of the City Council of the City of Arroyo Grande, a Certified Copy of which was recorded November 20, 1953 in Book 734, page 255 of Official Records, bounded as follows:

Southwesterly by the Southwesterly line of the Northeasterly 30 feet of said Tally Ho Street;
Southeasterly by the Southwesterly prolongation of the Southeasterly line of Lot 28 in Block 38 of said Beckett's Crown Hill Addition to the Town of Arroyo Grande;
Northeasterly by the Southwesterly lines of Lots 28, 27 and 26, in said Block 38 and the Northwesterly prolongation of the Southwesterly line of said Lot 26;
Northwesterly by the Southwesterly prolongation of the Southeasterly line of Lot 25 in said Block 38.

APN: 007-203-15 and 16

EXHIBIT "A"

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ARROYO GRANDE, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL 1: (A portion of APN: 007-203-017)

That portion of Block 38 of Beckett's Crown Hill Addition to the Town of Arroyo Grande, in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to map recorded June 19, 1905 in Book A, Page 57 of Maps, in the office of the County Recorder of said County, and of the street adjoining said Block 38 on the Northeast described as a whole as follows:

Beginning at the Southwest corner of Lot 1 in said Block 38;
thence North 61° East along the Southerly line of said Block, 226 feet;
thence North 29° West, 187.5 feet;
thence Northwesterly across said street to the Southeast corner of Lot 14 of said Block 38;
thence South 61° West along the Southerly line of Lots 14 and 25 of said Block 38, 237.5 feet to the Southwest corner of said Lot 25;
thence South 29° East across said street and along the East line of said Block 38, 237.5 feet to the point of beginning.

EXCEPTING therefrom that portion of Block 38 and of the street adjoining said Block 38 on the Northeast, described as a whole as follows:

Beginning at the most Easterly corner of Lot 9 of said Block 38;
thence North 29° West, 187.5 feet;
thence Northwesterly across said street to the Southeast corner of Lot 14 of said Block 38;
thence South 61° West, along the Southerly line of Lot 14 of said Block 38, 65.30 feet;
thence South 29° East, 237.5 feet to a point on the Southerly line of said Block 38, said point being located South 61° West, 4 feet from the most Southerly corner of Lot 8 of said Block 38;
thence North 61° East, 54 feet to the point of beginning.

ALSO EXCEPTING therefrom Lots 1, 2, 3, 4, 26, 27, 28 and 29 in said Block 38;

ALSO EXCEPTING therefrom that portion of the street within Block 38, designated on said map as "Street" which was abandoned by Resolution No. 72 of the City Council of the City of Arroyo Grande, a certified copy of which was recorded May 10, 1939 in Book 257, Page 440 of Official Records, bounded as follows:

Bounded Southeasterly by the Northwesterly line of Lot 26;
Bounded Northeasterly by the Northwesterly prolongation of the Northeasterly line of Lot 26;
Bounded Northwesterly by the Southeasterly line of Lot 25;
Bounded Southwesterly by the Northwesterly prolongation of the Southwesterly line of Lot 26.

Also Excepting therefrom that portion conveyed to Adair Brown and Trudy Brown by Grant Deed recorded June 26, 2004 in Instrument No. 2004-055175 of Official Records.

PARCEL 2: (A portion of APN: 007-203-017)

That portion of Block 38 of Beckett's Crown Hill Addition to the Town of Arroyo Grande, in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to map recorded June 19, 1905 in Book A, Page 57 of Maps, in the office of the County Recorder of said County, and of the street adjoining said Block 38 on the Northeast described as a whole as follows:

Beginning at the most Easterly corner of Lot 9 of said Block 38;
thence North 29° West, 187.5 feet;
thence Northwesterly across said street to the Southeast corner of Lot 14 of said Block 38;
thence South 61° West, along the Southerly line of Lot 14 of said Block, 65.30 feet;
thence South 29° East, 237.5 feet to the Southerly line of said Block 38, said point being located South 61°

West, 4 feet from the most Southerly corner of Lot 8 of said Block;
thence North 61° East, 54 feet to the point of beginning.

PARCEL 3: (APN: 007-203-013)

Lots 14, 15, 16, 17, 18 and 19 in Block 38 of Beckett's Crown Hill Addition to the Town of Arroyo Grande, in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to map recorded June 19, 1905 in Book A, Page 57 of Maps, in the office of the County Recorder of said County.

PARCEL 4: (A portion of 007-204-003)

Commencing at the most Northerly corner of Lot 13 in Block 38 of Beckett's Crown Hill Addition to the Town of Arroyo Grande, in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to map recorded June 19, 1905 in Book A, Page 57 of Maps, in the office of the County Recorder of said County;
thence North 61° East to the Westerly line of the right of way of the Pacific Coast Railway Company;
thence Southerly along the said Westerly line of said right of way to its intersection with the Easterly line of Lot 9 of said Block 38;
thence Northerly along the Easterly line of Lots 9, 10, 11, 12 and 13 of said Block, to the point of beginning.

PARCEL 5: (007-204-003)

That portion of the Pacific Coast Railway right of way as described in the deed to the San Luis Obispo and Santa Maria Valley Railroad Company, a corporation, recorded August 13, 1881 in Book N, Page 228 of Deeds, of Beckett's Crown Hill Addition to the Town of Arroyo Grande, in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to map recorded June 19, 1905 in book A, page 57 of Maps, in the office of the County Recorder of said County, which lies between the Southeasterly line of Le Point Street and the Northeasterly prolongation of the Southeasterly line of Block 38 of said Beckett's Crown Hill Addition.

EXCEPTING therefrom all of the minerals, oil, gas and other hydrocarbon substances within or underlying said land as reserved in the deed from Bell Petroleum Company, recorded July 26, 1950 in Book 572, Page 400 of Official Records.

PARCEL 6: (APN 007-204-001)

All of Block 36 of Beckett's Crown Hill Addition to the Town of Arroyo Grande, in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to map recorded June 19, 1905 in Book A, Page 57 of Maps, in the office of the County Recorder of said County.

(APN: 007-203-018)

Lots 5 through 11, inclusive of Block 38 of Beckett's Crown Hill Addition, to the Town of Arroyo Grande, in the in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to map recorded June 19, 1905 in Book A, page 57 of Maps, in the office of the County Recorder of said County.

EXHIBIT "C"

EXHIBIT EASEMENT FOR INGRESS & EGRESS

OVER A PORTION
OF BLOCK 38 AND A PORTION
OF P.C.R.R. RIGHT OF WAY
OF BECKETT'S ADDITION TO
THE TOWN OF ARROYO GRANDE
CITY OF ARROYO GRANDE
STATE OF CALIFORNIA

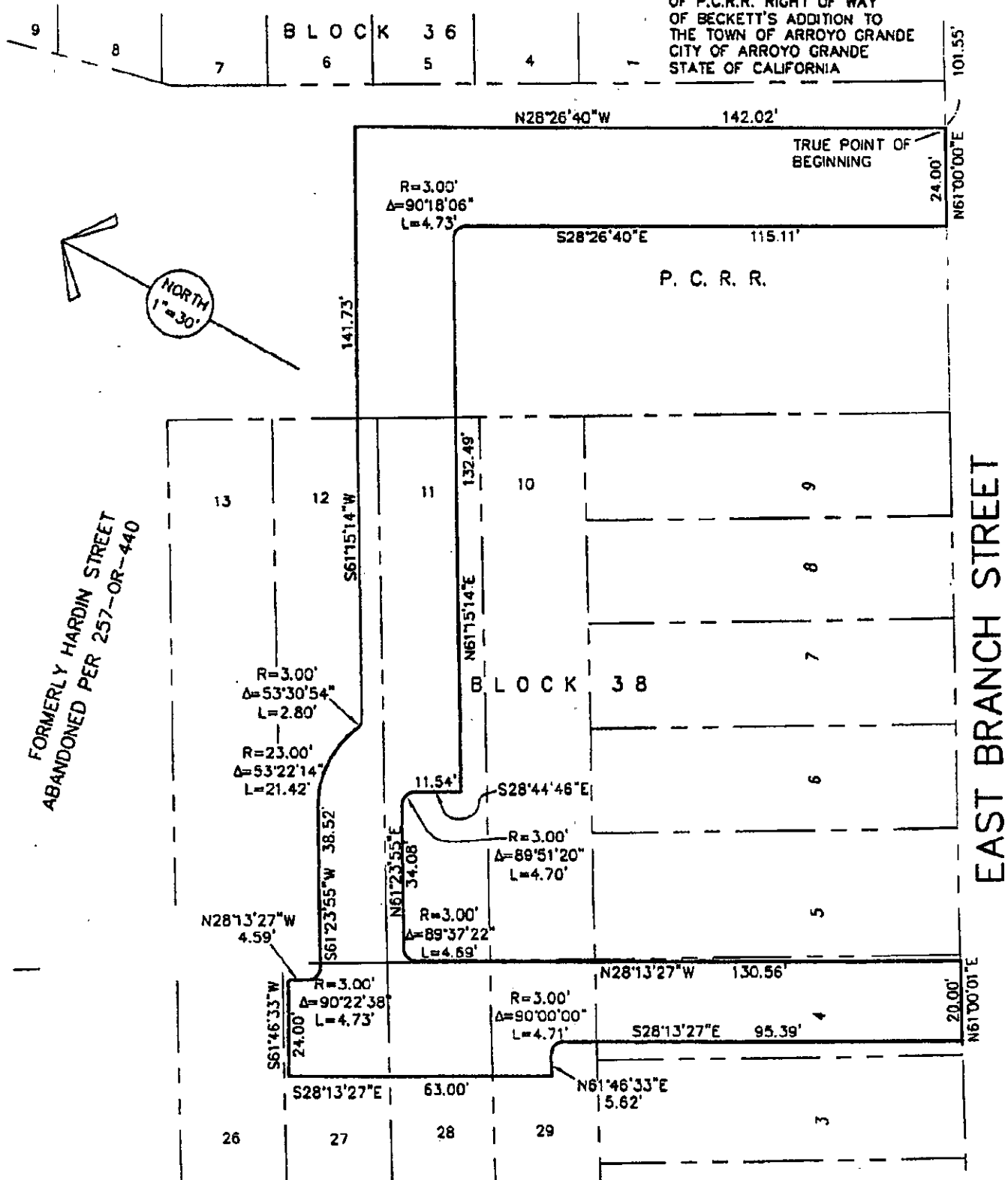


EXHIBIT "D"

EXHIBIT

An Easement for Ingress, Egress and Incidental Purposes lying over, under and upon a portion of Block 38 of Beckett's Crown Hill Addition to the Town of Arroyo Grande in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to Map recorded June 19, 1905 in Book A, Page 57 of Maps, in the office of the County Recorder of said County, said Easement being more particularly described as follows:

Beginning at a point on the Northerly right of way line of Branch Street which bears South 61° 00' 00" West, 101.55 feet from the Southeast corner of Block 36 of Beckett's Crown Hill Addition; thence
North 28° 26' 40" West, 142.02 feet; thence
South 61° 15' 14" West, 141.73 feet to the beginning of a tangent curve concave to the North and having a radius of 3.00 feet; thence
~~Along said curve Westerly and to the Right~~ through a Central Angle of 53° 30' 54" for an Arc Length of 2.80 feet to the beginning of a tangent Reverse curve concave to the South and having a Radius of 23.00 feet; thence
Along said curve Westerly and to the Left through a Central Angle of 53° 22' 14" for an Arc Length of 21.42 feet; thence
South 61° 23' 55" West, 38.52 feet to the beginning of a tangent curve concave to the North and having a Radius of 3.00 feet; thence
Along said curve Westerly and to the Right through a Central Angle of 90° 22' 38" for an Arc Length of 4.73 feet; thence
North 28° 13' 27" West 4.59 feet; thence
South 61° 46' 33" West, 24.00 feet; thence
South 28° 13' 27" East, 63.00 feet; thence
North 61° 46' 33" East, 5.52 feet to the beginning of a tangent curve concave to the South and having a Radius of 3.00 feet; then ce
Along said curve Easterly and to the Right through a Central Angle of 90° 00' 00" for an Arc Length of 4.71 feet; thence
South 28° 13' 27" East, 95.39 feet to the Northerly right of way of Branch Street; thence
along said right of way line, North 61° 00' 00" East, 20.00 feet; thence
North 28° 13' 27" West, 130.56 feet to the beginning of a tangent curve concave to the East and having a Radius of 3.00 feet; thence

Along said curve Northerly and to the Right through a Central Angle of $89^{\circ} 37' 22''$ for an Arc Length of 4.69 feet; thence

North $61^{\circ} 23' 55''$ East, 34.08 feet to the beginning of a tangent curve concave to the South and having a Radius of 3.00 feet; thence

Along said curve Easterly and to the Right through a Central angle of $89^{\circ} 51' 20''$ for an Arc Length of 4.70 feet; thence

South $28^{\circ} 44' 46''$ East, 11.54 feet; thence

North $61^{\circ} 15' 14''$ East, 132.48 feet to the beginning of a tangent curve concave to the South and having a Radius of 3.00 feet; then ce

Along said curve Easterly and to the Right through a Central Angle of $90^{\circ} 18' 06''$ for an Arc Length of 4.73 feet; thence

South $28^{\circ} 25' 40''$ East, 115.11 feet to the Northerly right of way of Branch Street; thence

Along said right of way line, North $61^{\circ} 00' 00''$ East, 24.00 feet to the Point of beginning.

EXCEPTING THEREFROM any portion lying within the property of the Grantee.

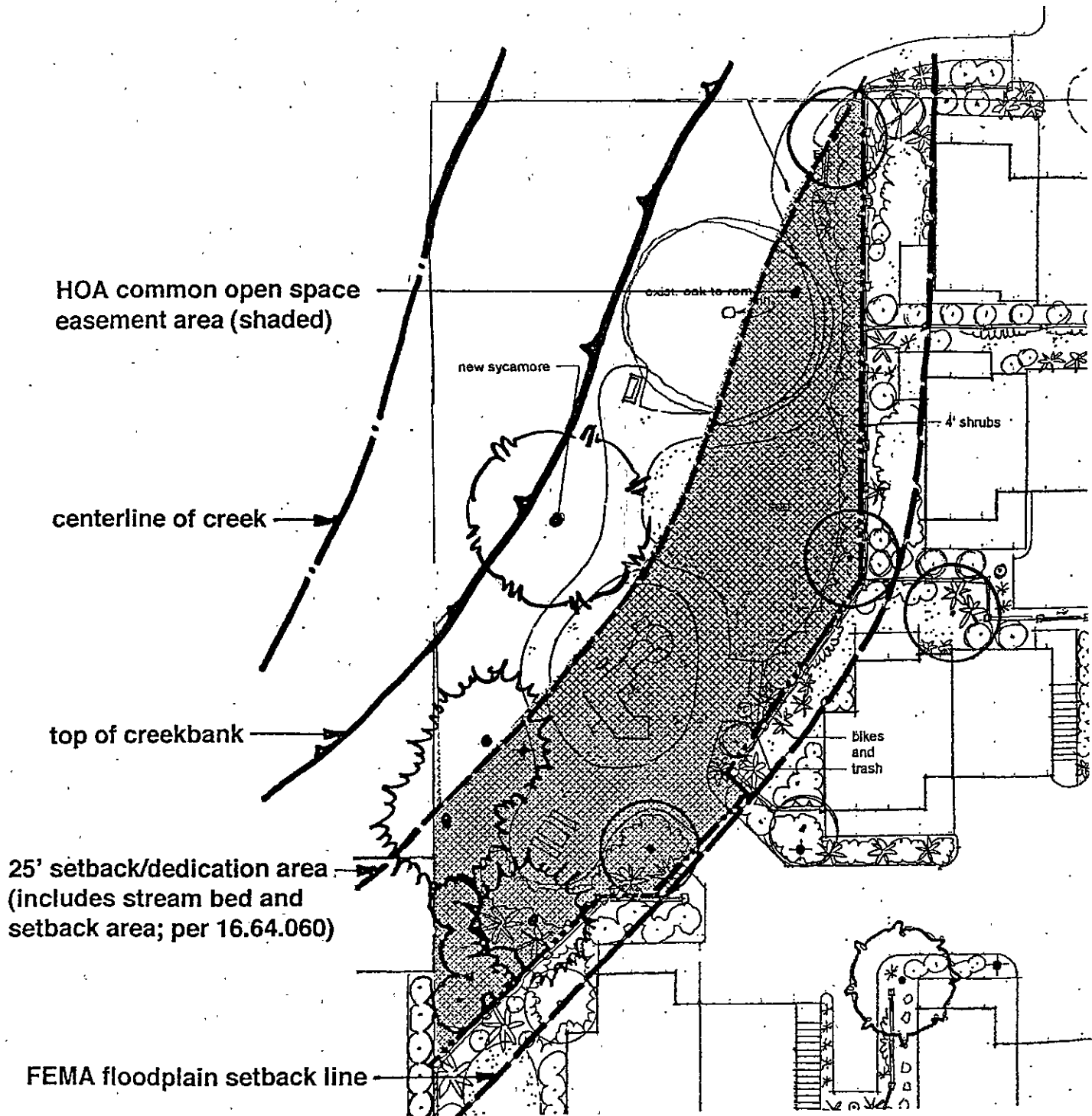
CREEKSIDE

Creek easement, Open Space
& Setback Exhibit

ATTACHMENT 4

(OF ATTACHMENT 1)

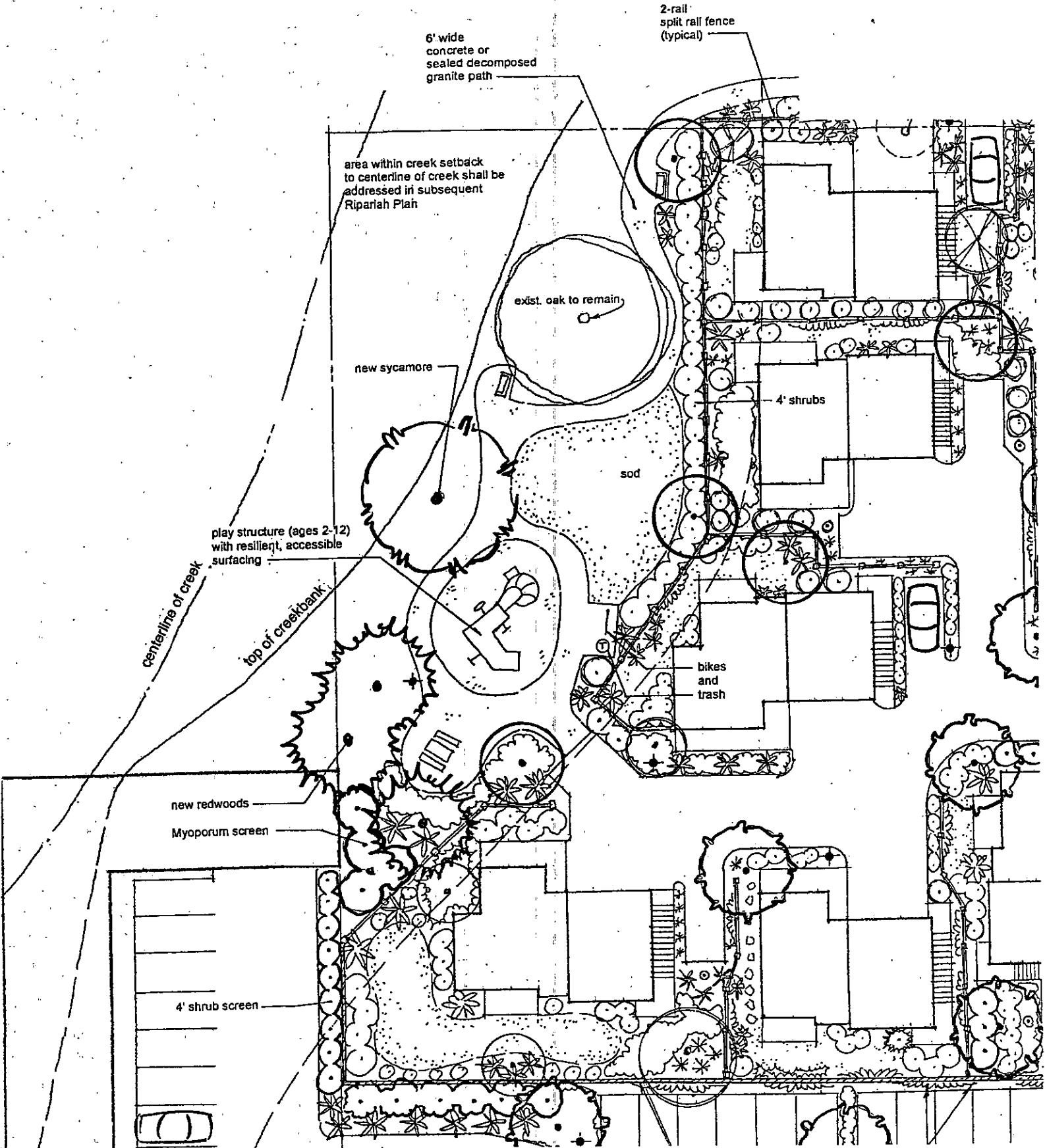
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CREEKSIDE

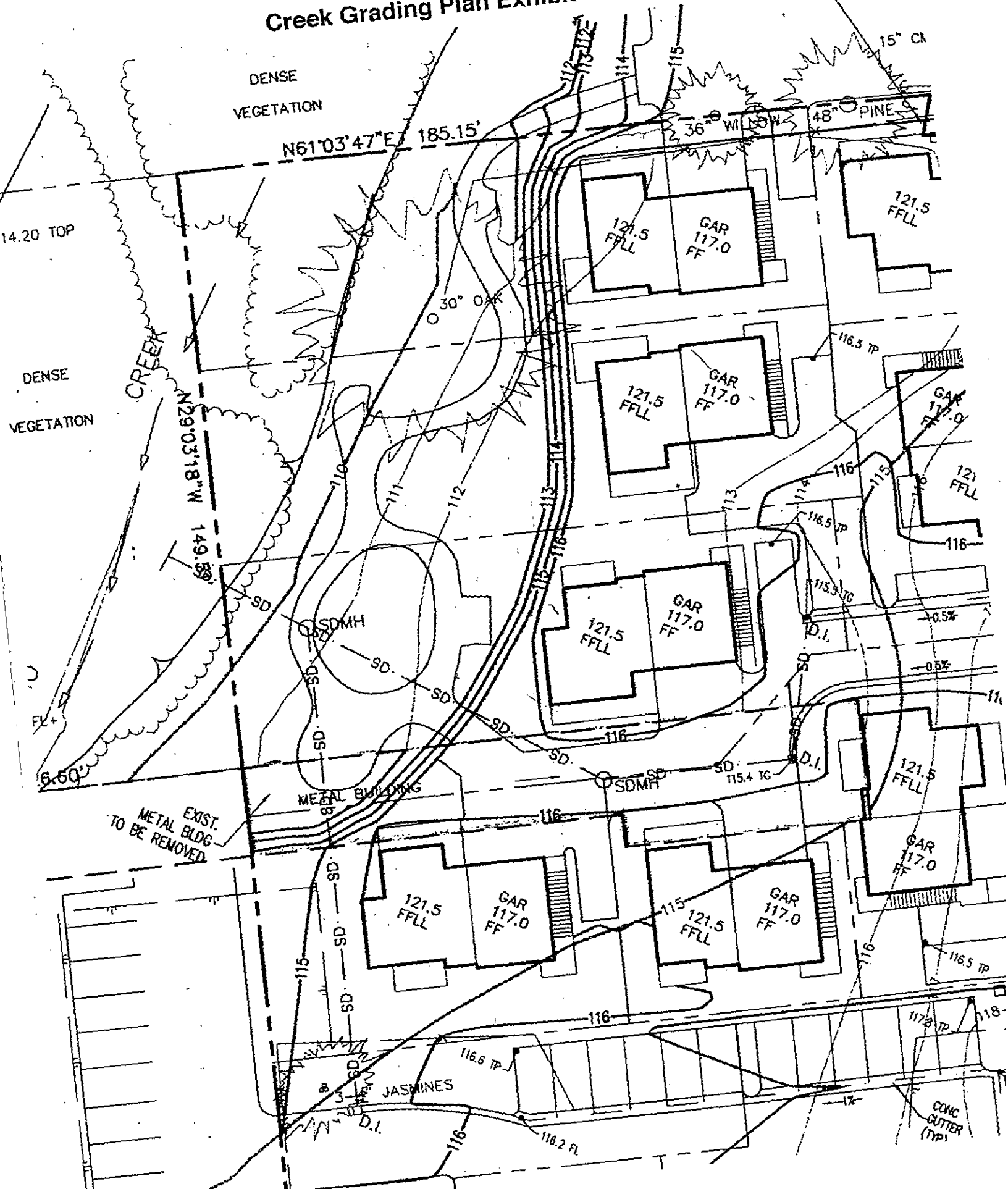
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Creek Landscaping & Improvement Plan Exhibit



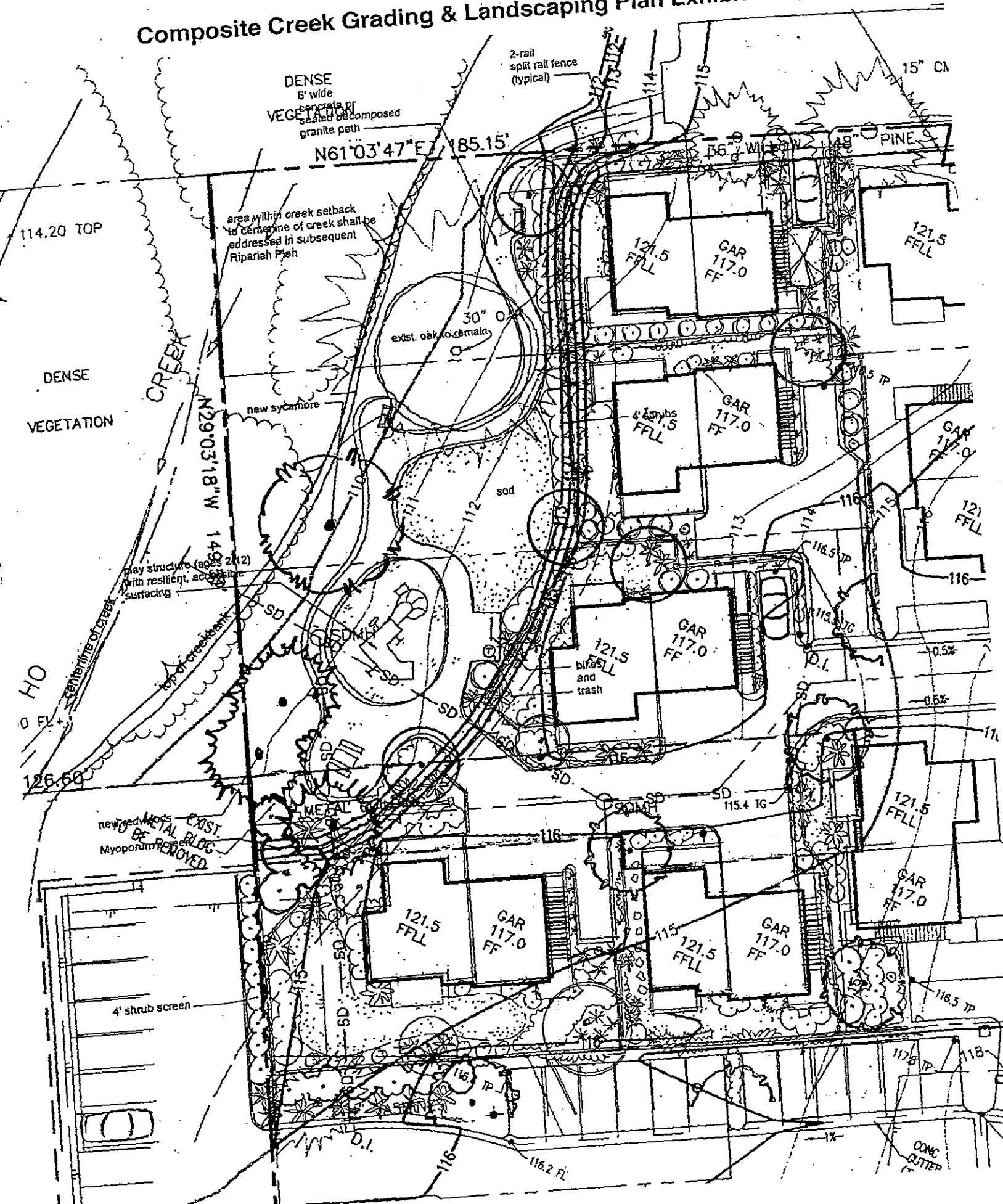
CREEKSIDE

Creek Grading Plan Exhibit



CREEKSIDE

Composite Creek Grading & Landscaping Plan Exhibit



CREEKSIDE

Pedestrian Pathways Exhibit

THE CREEKSIDE COMPLEX A Mixed Use Planned Development

PROPERTY STATISTICS

OWNERS DB & M, L.L.C.
411 E. Branch Street
Arroyo Grande, CA 93420
805.485.7449

DESIGN / PLANNING Joseph D. and Associates
1009 Arroyo Street, Suite 20
San Luis Obispo, CA 93401
805.473.8886

LANDSCAPE ARCHITECTURE Denise Brock Landscape Architecture
2448 Palomares Street
San Luis Obispo, CA 93401
805.442-2478

CIVIL ENGINEERING TRND Engineering
922 South 1st Street
P.O. Box 432
Grover Beach, CA 93433
805.481-1354

PROJECT ADDRESS 415 E. Branch Street
Arroyo Grande, CA

ASSESSOR PARCEL NO. 027-763-006, 011, 012, 013
027-344-031, 003

GENERAL PLAN Village Commercial & Public & Quasi Public Facilities

ZONING Village Mixed Use

SITE AREA 94,708 sq ft site area
1,700 sq ft Point Street ROW (abandoned)
94,408 sq ft (2,300 sq ft)

BUILDING STATISTICS

RESIDENTIAL PLAN A - 4 BLDGS / 8 UNITS

UNIT 1	Living Area	3,563 sq ft
	Garage	532 sq ft
	Deck/Porch	150 sq ft
UNIT 2	Living Area	1,940 sq ft
	Garage	426 sq ft
	Deck/Porch	126 sq ft

PARKING

18 on-site (permitted)
8 surface (permitted)

RESIDENTIAL PLAN B - 8 BLDGS / 16 UNITS

UNIT 1	Living Area	1,903 sq ft (permitted plan 1,822 sq ft)
	Garage	507 sq ft (permitted plan 1,07 sq ft)
	Deck/Porch	127 sq ft (permitted plan 107 sq ft)
UNIT 2	Living Area	426 sq ft
	Deck/Porch	75 sq ft

PARKING

18 on-site (permitted)
4 surface (permitted)
8 surface (permitted)

TOTAL UNITS: 24 units / 24 units
TOTAL PARKING: 32 on-site / 12 on-site

COMMERCIAL / OFFICE BUILDING

FLOOR AREA: 10,000 sq ft

PARKING (permitted)

40 spaces
40 spaces

EXISTING WAREHOUSE / BARN

FLOOR AREA: 6,000 sq ft

PARKING (permitted)

10 spaces
10 spaces

EXISTING HOUSES (commercial use)

FLOOR AREA: 10,000 sq ft

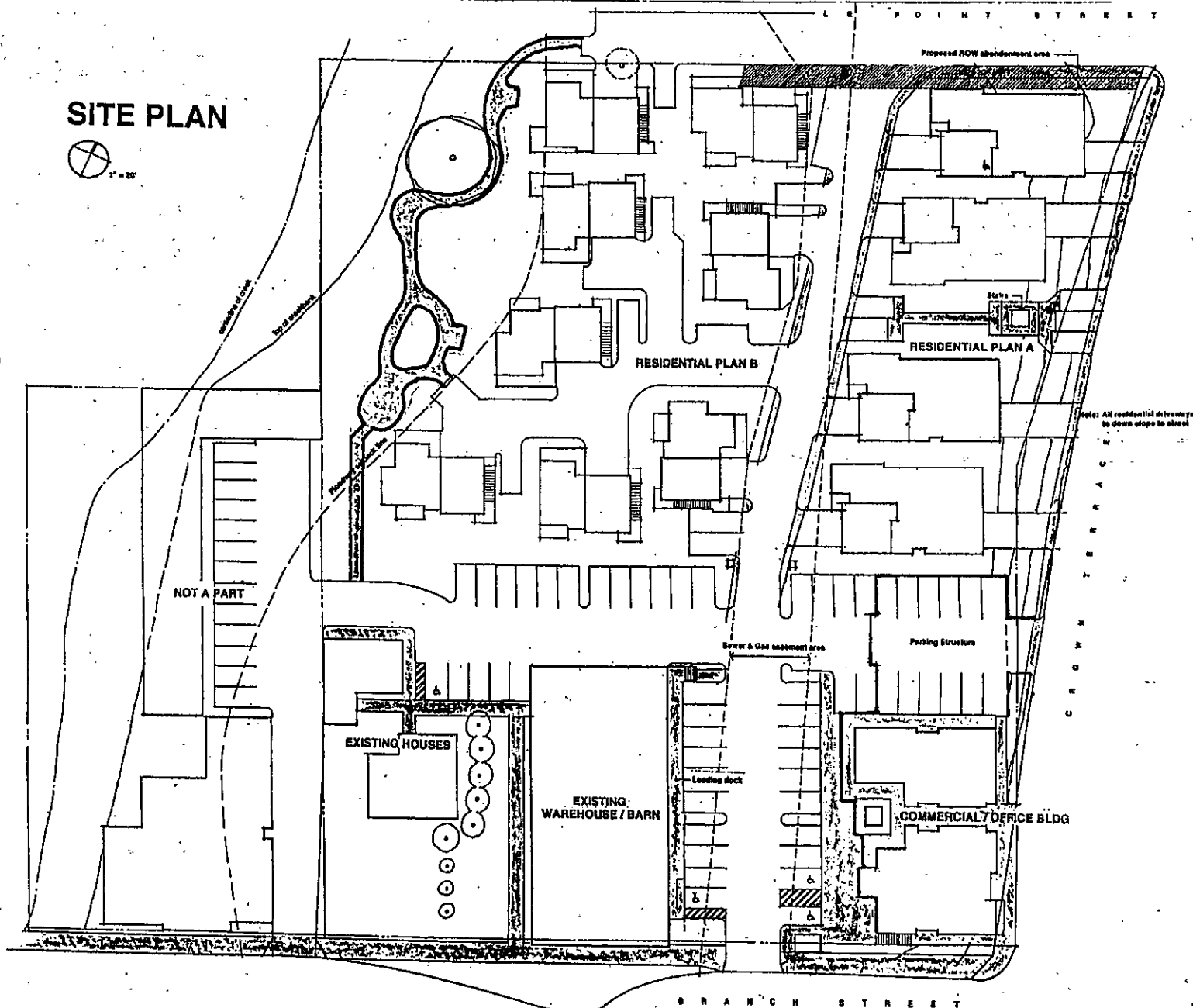
PARKING (permitted)

11 spaces
11 spaces

OWNERSHIP TOWN & OPEN SPACE

1/4 acre

SITE PLAN



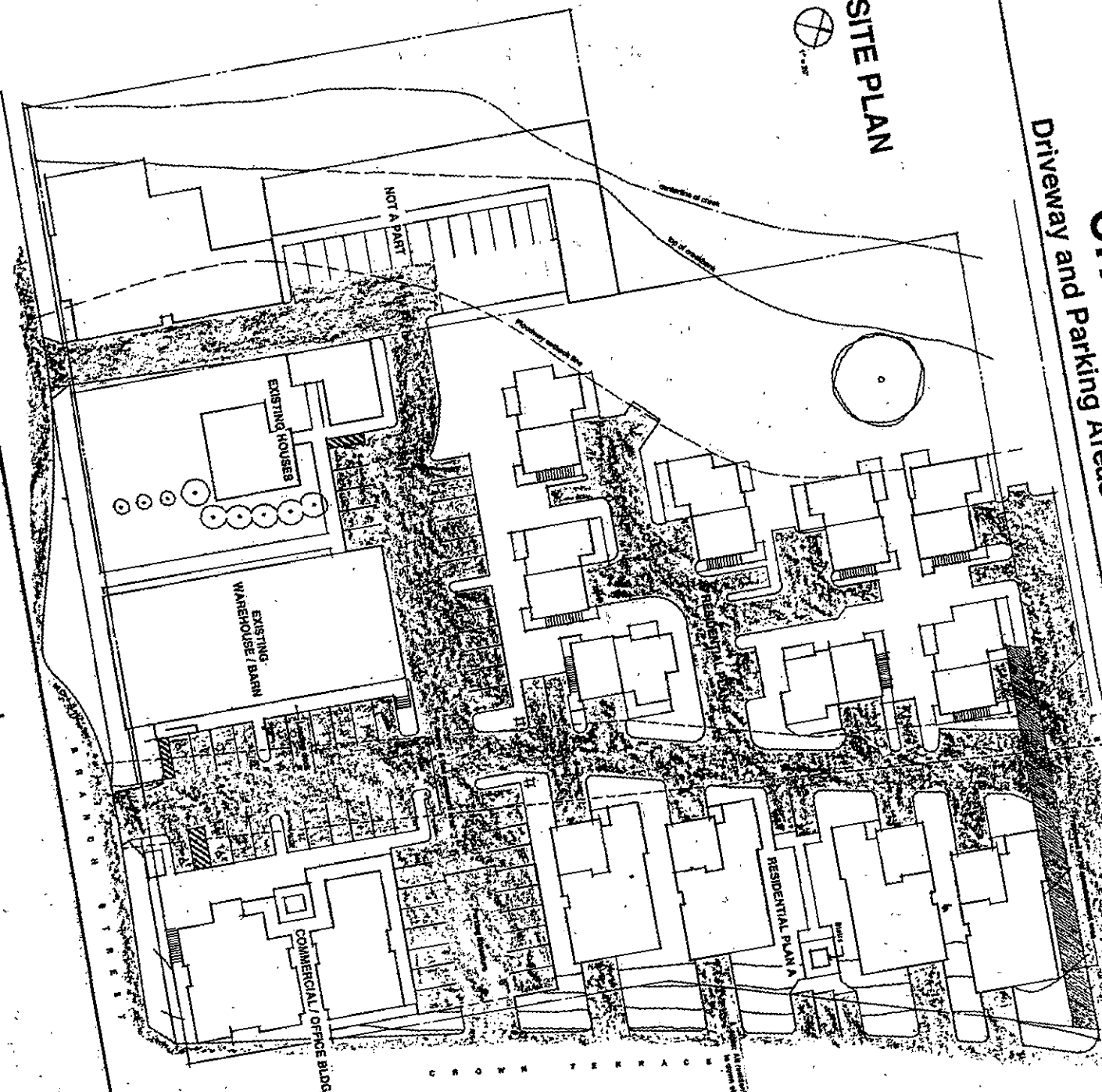
JOHN D. AND ASSOCIATES
1009 ARROYO STREET, SUITE 20
SAN LUIS OBISPO, CA 93401
805.473.8886

THE CREEKSIDE COMPLEX
A Mixed Use Planned Development • 415 E. Branch Street • Arroyo Grande, CA

DB & M Property, L.L.C.
411 E. Branch Street
Arroyo Grande, CA 93420
805.485.7449

CREEKSIDE Driveway and Parking Areas Exhibit

SITE PLAN



THE CREEKSIDE COMPLEX

A Mixed Use Planned Development • 415 E. Branch Street • Arroyo Grande, CA

DR & M Property, L.L.C.

THE CREEKSIDE COMPLEX A Mixed Use Planned Development

PROPERTY STATISTICS

OWNERS
DR & M Property, L.L.C.
415 E. Branch Street
Arroyo Grande, CA 93422
TEL: (805) 488-1100

DESIGN / PLANNING

ARCHITECTURAL

CIVIL ENGINEERING

PROJECT MANAGER

ASSISTANT PROJECT MGR.

GENERAL PLAN

ZONING

BUILDING STATISTICS

RESIDENTIAL PLAN A - 8 BLDGS / 11 UNITS
Total Area: 11,000 sq. ft.
Total Units: 11
Total Parking: 11
Total Cost: \$1,100,000

EXISTING HOUSES
Total Area: 1,000 sq. ft.
Total Units: 1
Total Parking: 1
Total Cost: \$100,000

EXISTING WAREHOUSE / BARN
Total Area: 2,000 sq. ft.
Total Units: 1
Total Parking: 1
Total Cost: \$200,000

COMMERCIAL / OFFICE BLDG
Total Area: 3,000 sq. ft.
Total Units: 1
Total Parking: 1
Total Cost: \$300,000

LANDSCAPING
Total Area: 1,000 sq. ft.
Total Units: 1
Total Parking: 1
Total Cost: \$100,000

UTILITIES
Total Area: 1,000 sq. ft.
Total Units: 1
Total Parking: 1
Total Cost: \$100,000

PERMITS
Total Area: 1,000 sq. ft.
Total Units: 1
Total Parking: 1
Total Cost: \$100,000

CONSTRUCTION
Total Area: 1,000 sq. ft.
Total Units: 1
Total Parking: 1
Total Cost: \$100,000

EXISTING HOUSES (continued)
Total Area: 1,000 sq. ft.
Total Units: 1
Total Parking: 1
Total Cost: \$100,000

EXISTING WAREHOUSE / BARN (continued)
Total Area: 2,000 sq. ft.
Total Units: 1
Total Parking: 1
Total Cost: \$200,000

COMMERCIAL / OFFICE BLDG (continued)
Total Area: 3,000 sq. ft.
Total Units: 1
Total Parking: 1
Total Cost: \$300,000

LANDSCAPING (continued)
Total Area: 1,000 sq. ft.
Total Units: 1
Total Parking: 1
Total Cost: \$100,000

JOSEPH ROSS
11111 ALVARADO
SAN FRANCISCO, CA 94131
TEL: (415) 778-1111
FAX: (415) 778-1112
WWW.JROSS.COM

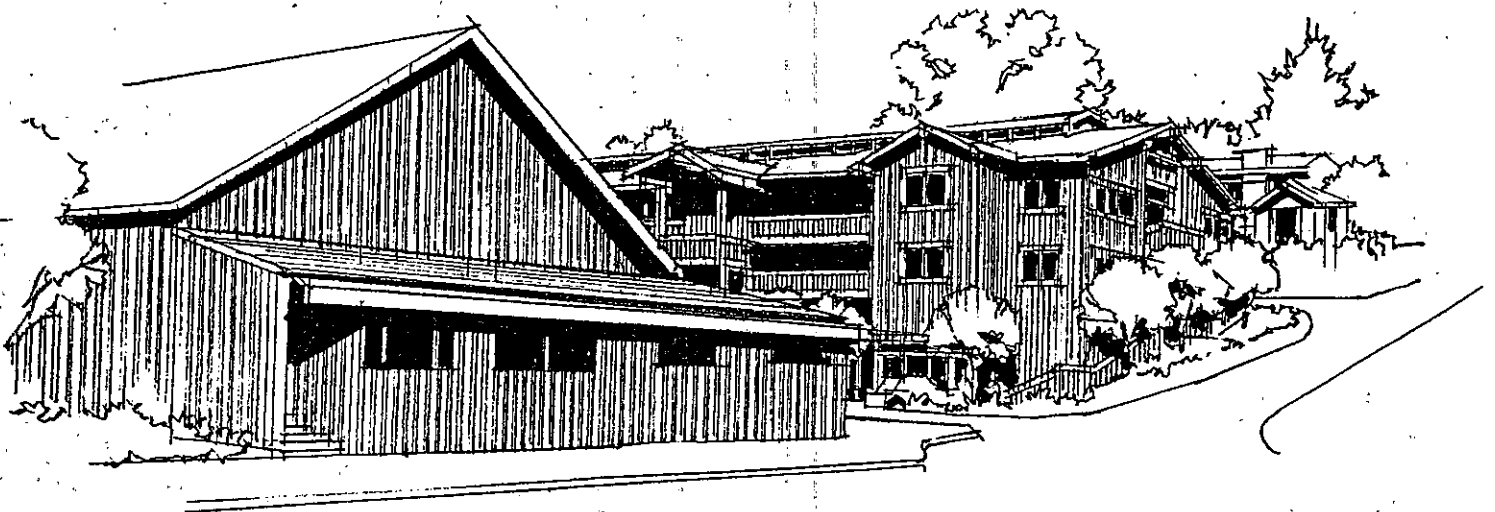
CREEKSIDE

Sidewalk View of New Building
Design Compatibility Exhibit



CREEKSIDE

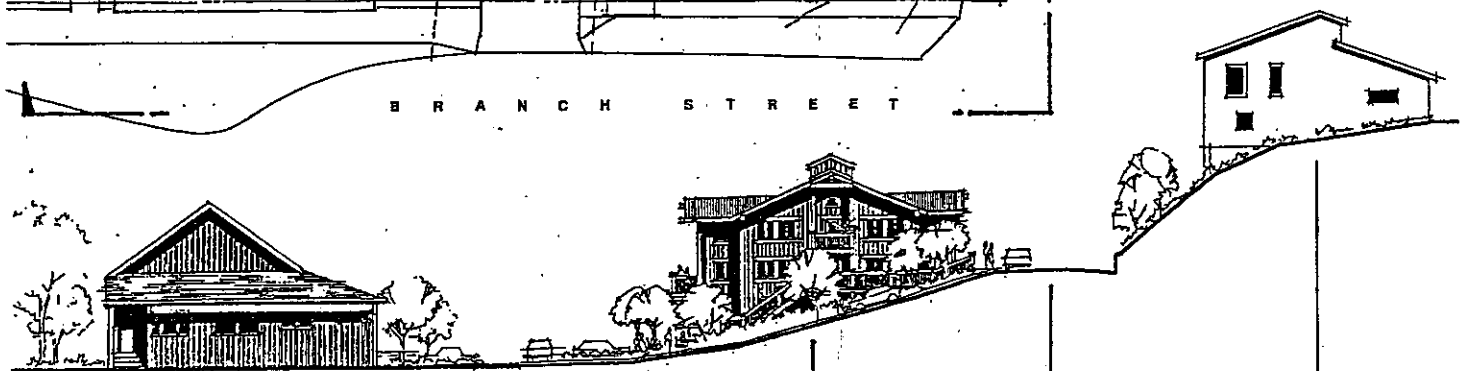
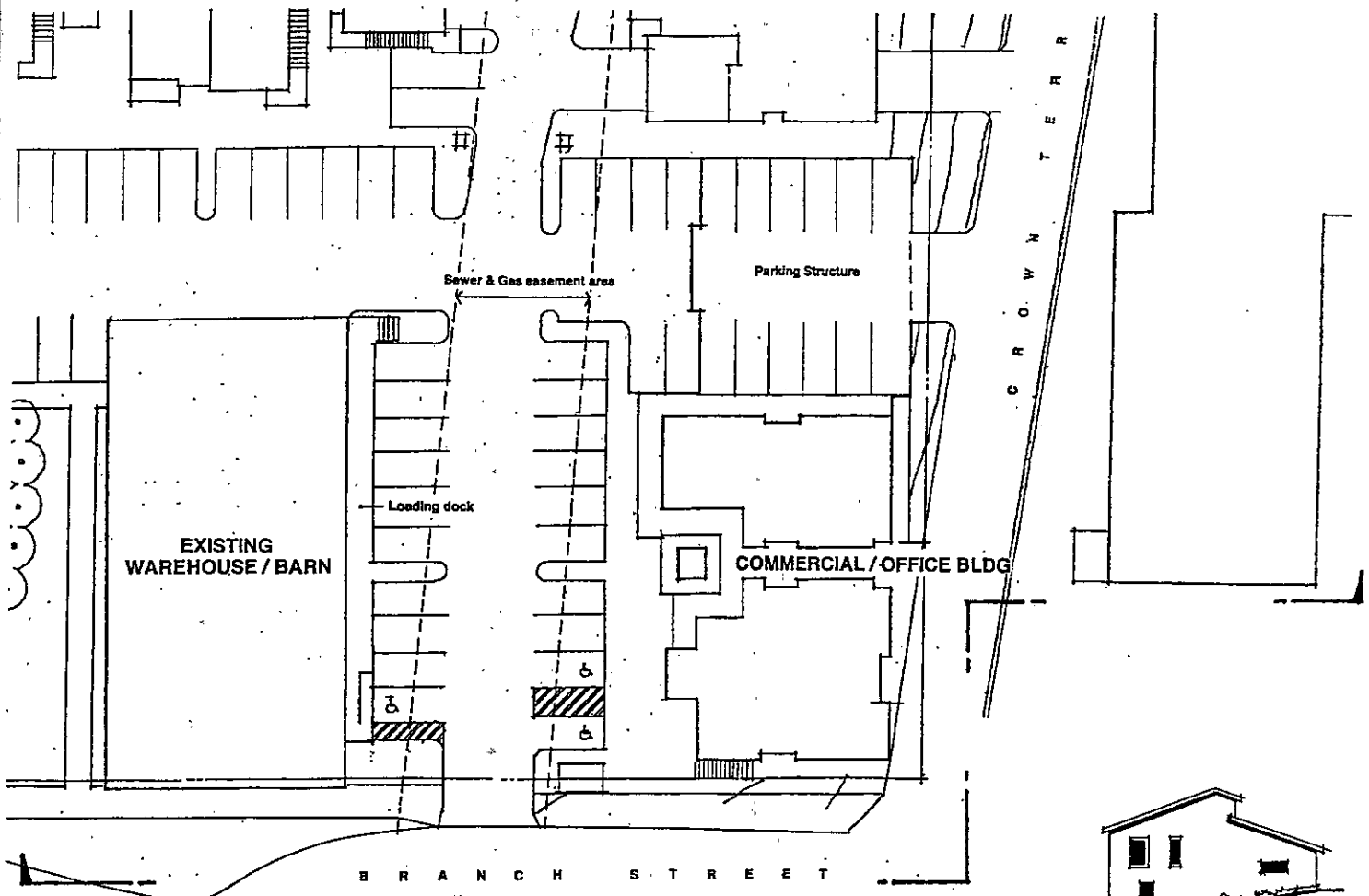
Warehouse / New Building
Design Compatibility Exhibit



PROPOSED

CREEKSIDE

Branch / Crown Hill Street / Condos
Street Elevation Exhibit



Warehouse

Entrance

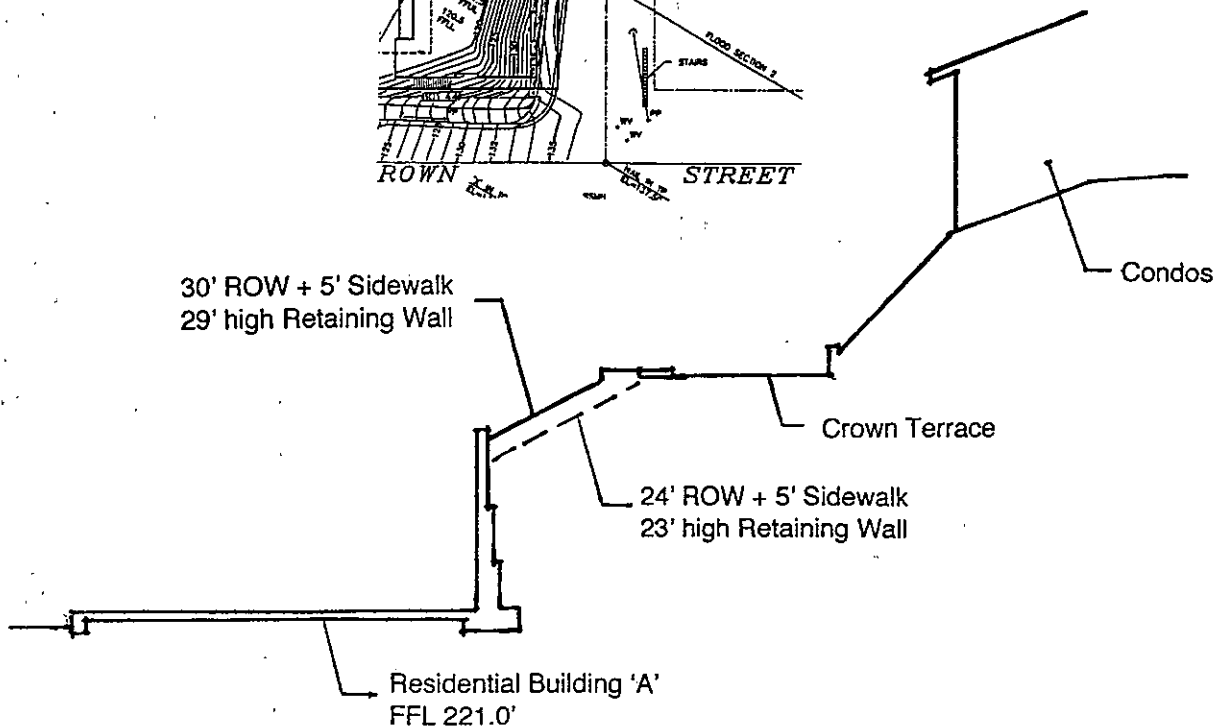
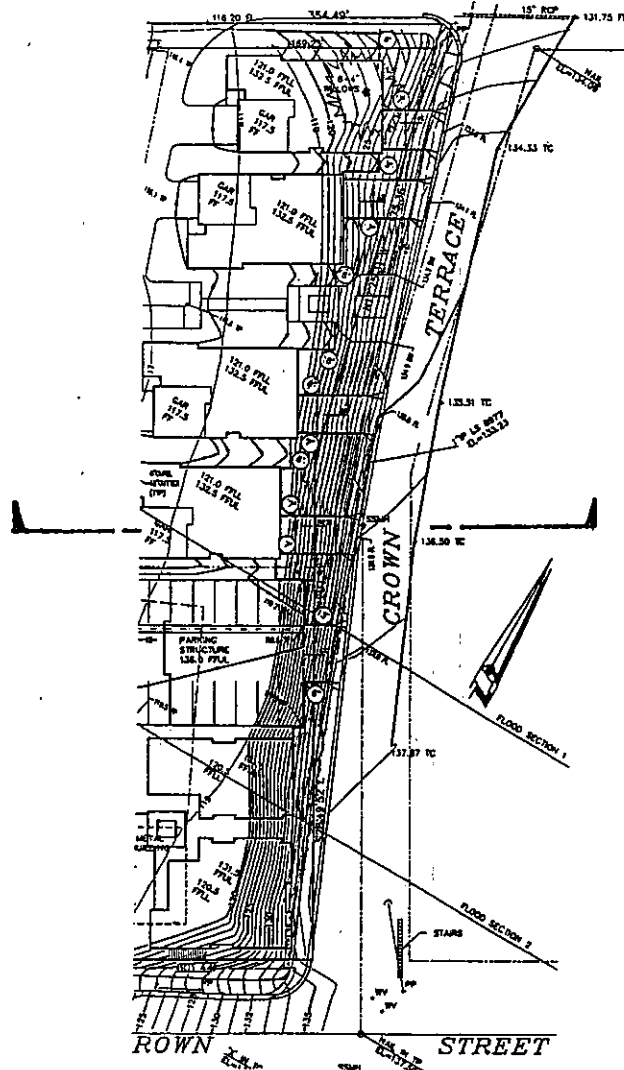
New Building

Crown Terrace

Condos

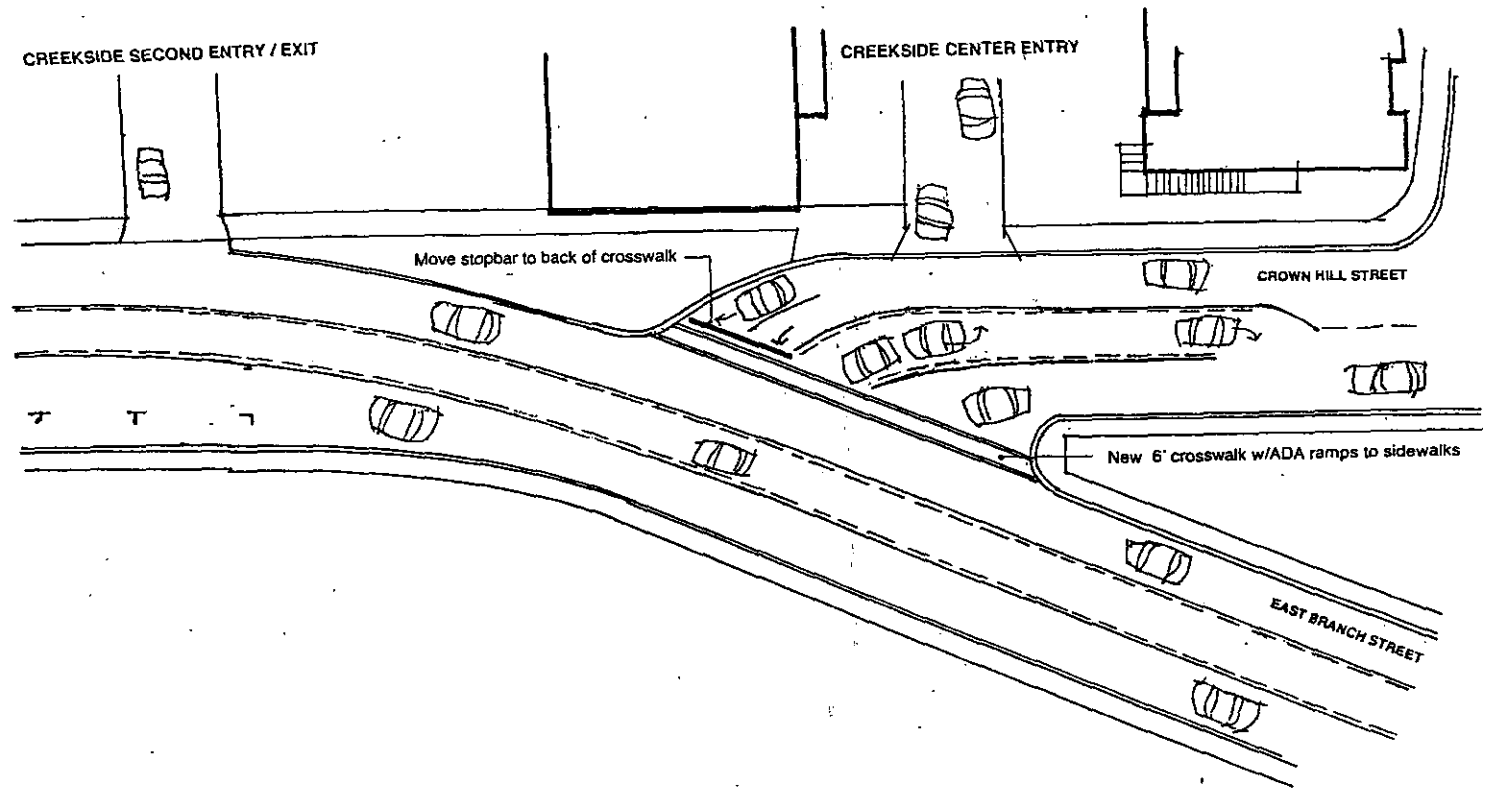
CREEKSIDE

Crown Terrace ROW – 30' vs 35' Wide Impact Comparison Exhibit



CREEKSIDE

Left Turn Pocket @ Crown Hill Street Exhibit





4115 South Broad Street, San Luis Obispo, CA 93401 • 805.481.1064 • Fax 805.481.9146

ATTACHMENT 5

(OF ATTACHMENT 1)

Drainage Evaluation

CLIENT: DeBlauw Builders DATE: 28-Apr-06
 JOB NO: Deblauw008
 LOCATION: Branch Street and Crown Terrace, Arroyo Grande

Purpose:

Calculate the difference in pre and post developed volumes using the County of San Luis Obispo Standards (10 hour duration for 10 hours) based upon County Standard C Factors for this type of development.

Site Drainage Parameters:

Tc:	10 hr	Co. Std. for Sizing Infiltration Basins					
C Impervious:	0.90	Co. Std D-2					
C-Pervious	0.35	Co. Std D-2					
I (in/hr):	(2,10)	(5,10)	(10,10)	(25,10)	(50,10)	(100,10)	Co. Std. D-6
	0.18	0.26	0.30	0.38	0.47	0.49	

Composit C - Pre Developed Conditions

	Area ft ²	Area AC	C
Impervious Surface	117,778	2.70	0.90
Pervious Area	3,427	0.08	0.35
Total Area	121,205	2.78	0.88

Composit C - Post Developed Conditions

	Area ft ²	Area AC	C
Impervious Surface	73,934	1.70	0.90
Pervious Area	47,271	1.09	0.35
Total Area	121,205	2.78	0.69

Volume - (V=CxixAx60x60x10)

Storm	Pre Developed (FT ³)	Post Developed (FT ³)	Difference (FT ³)
2-year	15947	12360	-3587
5-year	23035	17853	-5182
10-year	28578	20600	-5979
25-year	33666	26093	-7573
50-year	41640	32273	-9367
100-year	43411	33646	-9765

From: "Ben Fine" <bfine@tecslo.com>
Subject: **FW: Detention Basin Design - Tract 2346 - Crown Hill and W. Branch**
Date: May 1, 2006 8:08:01 AM PDT
To: "'Duane P. DeBlauw'" <deblauwcon@sbcglobal.net>, <jcboud@sbcglobal.net>

Duane and Joe-

Here is copy of the email Victor Devens sent me regarding the basin for The Creek Side Complex. If you need anything else let me know.

Ben

Benjam A. Fine, M.S., M.B.A., E.I.T.
Design Engineer

TEC Civil Engineering Consultants
4115 Broad Street, Suite B1
San Luis Obispo, California 93401
Phone (805) 541-2114 x207
Fax (805) 541-2132

"Engineering California's Interests"

-----Original Message-----

From: Victor Devens [mailto:VDevens@arroyogrande.org]
Sent: Friday, April 28, 2006 5:13 PM
To: bfine@tecslo.com
Subject: Detention Basin Design - Tract 2346 - Crown Hill and W. Branch

Ben:

This is a follow up to our phone conversation earlier today regarding detention basin design criteria for the above referenced project. The City is currently reviewing the detention design criteria for developments adjacent to the creek to mitigate impacts and has not adopted a specific criteria as of yet.

Per our conversation, you stated that the basin would be located in the landscaped area adjacent to the creek, which is within the 100-year flood plain. The basin would become inundated with creek water at times when the basin would need to be in operation, rendering the basin ineffective. If a detention basin is required, an alternate site would need to be selected.

You also stated that the amount of impervious surface on the site is being reduced with this project. This would, in turn, reduce the peak flows. Detention basins are typically required when the project is increasing the peak flows. If the peak flows are in fact being reduced

through reduction in impervious surface, then a detention basin would not seem necessary for this specific project. However, the reduced impervious surface would need to be verified prior to consideration of waiving detention requirements.

Please feel free to contact me if you have further questions.

Victor

Victor Devens
Associate Engineer - Development
City of Arroyo Grande
Phone: (805) 473-5445
Fax: (805) 473-5443
E-mail: vdevens@arroyogrande.org

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Council Member Costello moved, and Council Member Dickens seconded the motion to approve Consent Agenda Items 8.a. through 8.h., with the recommended courses of action. The motion passed on the following roll-call vote:

AYES: Costello, Dickens, Arnold, Guthrie, Ferrara
NOES: None
ABSENT: None

8.a. Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period July 16, 2006 through July 31, 2006.

8.b. Consideration of Approval of Minutes.

Action: Approved the minutes of the Special (Closed Session) City Council Meetings of July 11 and 25, 2006, the Regular City Council Meeting of July 11, 2006 and the Regular City Council/Redevelopment Agency Meeting of July 25, 2006, as submitted.

8.c. Consideration of Authorization to Reject Claim Filed Against the City – Claimant: Plycon Van Lines.

Action: Rejected claim.

8.d. Consideration of Authorization to Purchase Parks Division Vehicle – Parks Maintenance.

Action: Authorized staff to purchase a new 2006 ¾ ton Ford pick up truck from Mullahey Ford in the amount of \$19,576.45.

8.e. Consideration of Authorization to Purchase Parks Division Vehicle – Soto Sports Complex.

Action: Authorized staff to purchase a new 2006 Ford Ranger pick up truck from Mullahey Ford in the amount of \$13,124.46.

8.f. Consideration of Compensation Adjustments for Part-Time Employees.

Action: Adopted Resolution No. 3942 approving a 3% Cost of Living (COLA) adjustment for all part-time employees for FY 2006-07 effective July 28, 2006.

8.g. Consideration of Change in Council Appointments to the San Luis Obispo County Water Resources Advisory Committee (WRAC) and the San Luis Obispo Economic Vitality Corporation (EVC).

Action: Approved appointment of Mayor Pro Tem Guthrie to the San Luis Obispo County Water Resources Advisory Committee (WRAC); and the appointment of Council Member Arnold to the San Luis Obispo Economic Vitality Corporation (EVC).

8.h. Consideration of a Resolution Accepting Public Improvements and Easements for Tract 2506 Located at 325 Alder Street, Constructed by Mal-Hun, LLC.

Action: Adopted Resolution No. 3943 accepting the public improvements and easements for Tract 2506 located at 325 Alder Street, constructed by Mal-Hun, LLC.

9. PUBLIC HEARINGS

9.a. Consideration of Vesting Tentative Tract Map Case No. 04-004 & Planned Unit Development Case No. 04-001; Applicant – DB & M Properties, LLC; Location – 415 East Branch Street (Continued from June 14, 2005 Council Meeting).

Associate Planner Heffernon presented the staff report and recommended the Council consider an addendum to a certified EIR and a proposal for a commercial retail, office and residential project located in the Village of Arroyo Grande (Creekside Mixed-Use Center), take tentative action on the project and direct staff to return with a supporting resolution. Associate Planner Heffernon responded to questions from Council regarding the design of the residential units; circulation, parking, and turning radius issues within the project area; location of the loading dock; partial relinquishment of an access easement along Le Point Street; impervious surfaces on site and impacts to drainage issues; proposed street improvements associated with the project; and whether speed calming devices on Le Point is feasible.

Mayor Ferrara opened the public hearing and invited comments from those in the audience who wished to be heard on the matter.

Joe Boud, Joseph Boud & Associates, spoke on behalf of the applicant stating that he believed they have incorporated all of the previous comments received into the project. He also responded to questions from Council regarding the design of residential unit Plan A; the proposed density (meets City standards); parking (no loss of parking; additional parking provided); landscaping improvements; turning radius (meets City standards); impervious surface as it relates to drainage (calculation of area was provided from the Final Environmental Impact Report); noted that to increase the width of Crown Terrace would impact the amount of retaining wall work, length of the driveways accessing the residential development, widening would not be required for fire access, and issues concerning the existing slope of the street; commented on the width of Le Point Street right-of-way as it relates to future extension; addressed the grading plan as it relates to residential building elevation and 100-year flood; addressed employee parking for the commercial development; noted that speed humps on Le Point Street may not be necessary as the Crown Hill/Crown Terrace intersection is proposed to be reconfigured and stop signs installed; noted that condition of approval #82 was requested to be modified to eliminate improvements on the north side of Le Point Street; noted that the easterly access easement from the adjacent property was the biggest concern and noted that an access easement had been acquired which should address ingress and egress issues; noted that a left turn pocket and ADA striping and ramps would be installed at the E. Branch Street/Crown Hill intersection; confirmed that a 25-foot creek easement has been provided which would be owned and maintained by the Homeowners Association and would have no public access; addressed concerns regarding the scale of the commercial project and displayed design compatibility exhibits; reviewed elements of redesigned project; addressed certain mitigation measures included in the project to address lighting issues; noted that the existing traffic level of service will be unchanged; and commented on tree replacement provisions included in the project. Further discussion ensued regarding the grading plan for the project as it relates to the project being located in a flood zone, and further discussion ensued regarding improvements at the intersection of Crown Terrace and Le Point Street.

Winton Tullis, Allen Street resident and Village business owner, expressed concerns about any reduction in the retail portion of the project; requested that driveway access and parking during construction be maintained; requested dust mitigation measures during construction; and requested that the waterline crossing the property be maintained during construction.

Earl Balgeman, Le Point Street, referred to the proposed project model provided by the applicant and requested a break in order to allow the public to view the model.

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Mayor Ferrara called a break at 8:15 p.m. The Council reconvened at 8:25 p.m.

Earl Balgeman, Le Point Street, expressed concern about access issues on Crown Terrace; stated that the trees along Crown Terrace should be spared; referred to the intersection at Highway 227 and Crown Terrace and stated it is dangerous to have four driveways and three parking spaces in this area; favored the installation of speed humps on Le Point Street; expressed concern with design of garages over the residences; stated the project was too dense; and expressed concern with pedestrian safety.

Kristen Barneich, co-chair of the Tree Guild, expressed concern over the proposed removal of 75 trees and noted that trees around the perimeter of the project could be saved to provide a visual buffer between the residential and commercial uses. She asked the Council to preserve the existing, mature trees.

Bill McCann, Crown Hill, expressed concern about traffic impacts on E. Branch Street at the corners of Crown Hill and Crown Terrace and requested that the intersection be designed to address issues. He suggested that methods be explored to encourage traffic to enter the project on E. Branch Street. He further expressed concern about backing out of driveways onto Crown Terrace and stated that Crown Terrace should be widened.

Camay Arad, Allen Street resident and Village business owner, stated that the proposed project design is not the best for the Village at this time and submitted a petition for the record (on file in the Administrative Services Department) which states that "Any new structures in the Village and specifically the Creekside Project at 415 E. Branch, should enhance the quaint charm of a vintage western town at the turn of the century. Strict architectural review and detailed descriptions of roof lines, landscaping, materials should be cohesive with the local landmarks such as the Barn and the Loomis House." She also addressed issues relating to impervious surfaces, and referred to the proposed model as it relates to the scale of the project and expressed concern that the proposed commercial building blocks views of the green Victorian house adjacent to the proposed project.

Barbara Freel, Le Point Street, asked that the proposed island not block access to her landscaping. She also expressed concern about light pollution from the project due to installation of additional streetlights along Crown Terrace and the north side of Le Point Street.

Hearing no further public comments, Mayor Ferrara closed the Public Hearing.

Joe Boud, Joseph Boud & Associates, responded to public comments regarding the flood zone as it relates to the elevation of the building floors; the change in size of the retail area of the existing Loomis Barn and existing business would require full compliance with Uniform Building Codes; noted that construction activities are addressed in the mitigation monitoring measures as it relates to noise, hours of operation, and dust control; clarified issues regarding street widths; noted the residential area density calculation was provided by an electronic calculation from their civil engineers and believes it is accurate; addressed mitigation measures for tree protection, removal, and screening; referred to traffic on Crown Hill and noted that traffic counts are not based on an event, the level of service is based on hourly traffic counts in a 24-hour day; noted that the parking area is a Class 2 base and is considered an impervious surface; stated that the design of the commercial building was made clear through pre-application meetings with the ARC, the community, the Chamber of Commerce, the downtown merchants, the Planning Commission and the Council and the applicant was directed to utilize an agrarian form of architecture; noted that further commercial development on the site was restricted due to existing buildings on the property;

addressed landscaping issues; and noted that the street lights were required by the City's Development Code and agreed to reduce the number of street lights if the City would allow it.

Council Member Arnold provided the following comments:

- Applicant has met most of concerns, especially regarding connection between the existing use and the proposed uses;
- Expressed concern with the size and scale of the proposed commercial use and noted that he had requested story poles be placed to determine visual impacts;
- Thought this was an appropriate project for the site; however, scale and traffic flow are key issues;
- Would not want to see the existing business impacted during construction;
- Left hand turn from Crown Hill into site may need some restrictions;
- Speed humps are needed on Le Point Street to discourage cut-through traffic;
- Need clarification regarding street lighting on Crown Terrace to ensure lighting is contained to the street;
- Explore possibility of transplanting existing trees to save mature trees, or consider 48"-60" box trees instead of 24" box trees.

Council Member Costello provided the following comments:

- Clarified that width of Crown Terrace would consist of two 12' travel lanes and a 5' sidewalk;
- Agreed that some trees should be saved if possible; 70 is too many to remove;
- Lighting should not be intrusive to the existing residential areas;
- Cannot support restriction of the available retail space in the existing structure; can support converting the existing residential structures to commercial use;
- Noted that the final design is subject to ARC approval.

Council Member Dickens provided the following comments:

- Not enough information about impervious surfaces provided: had many unanswered questions regarding impervious surfaces and related drainage impacts on the site;
- Flooding issue still a concern which has not been resolved;
- Too many outstanding issues with proposed project; preferred original commercial project and did not support the larger residential in this area; does not support this project as proposed for this site;
- Project location is not downtown urban core; property is in Historic Village;
- Objected to size and scale of the three story commercial building which dwarfs the existing barn; should be two-story;
- There are land use conflicts between commercial and residential uses, and residential and open space;
- Concerned about lack of fencing;
- Access to private property needs to be addressed;
- Concerned about removal of 70+ mature trees;
- Does not support project as proposed.

Mayor Pro Tem Guthrie provided the following comments:

- Asked for clarification regarding restriction on existing retail use;

- Commented on the impervious surfaces: asked what is there now versus what is proposed and whether staff had reviewed the issue;
- Recognized that Le Point Street is residential in nature and thinks that the street should not be widened;
- Existing trees were placed to shield an industrial use; would support saving some of the trees, however, would not need to save all the trees as it would create a visual block between the two residential neighborhoods;
- Asked questions about liability issues as it relates to potential flooding;
- Noted that commercial uses generate far more traffic intensity than residential uses; believes that the residential component provides a transitional area into the single family residential area;
- Supported the proposed layout of the project;
- Noted that access from E. Branch is a key element of the project;
- Proposed traffic improvements will mitigate some of the existing traffic issues;
- Concerned about the size of the proposed commercial building; suggested reducing the height or changing the façade of the building;
- The Class 2 impervious surface issue is critical; needs to be further reviewed;
- Favored more specific lighting standards.

Mayor Ferrara provided the following comments:

- Referred to previous concerns expressed from 2005 public hearing regarding the size, scale, and intensity of the commercial building; the need to soften the look of the commercial building, and to provide a more horizontal structure rather than vertical;
- Acknowledged that the need for western access to the site had been fulfilled;
- Acknowledged that the creek setback requirement had been fulfilled;
- Noted that the drainage issue (impervious surface) needs to be further studied;
- Commented on the appropriateness of the proposed agrarian architectural style;
- Observed that live/work units do not function well in this type of area;
- Residential units would help reduce traffic because of project's close proximity to Village services;
- Tree issue is large concern; does not favor tree removal;
- Traffic circulation issues need to be addressed; speed humps and/or signage are important to prevent cut-through traffic at Le Point and Crown Terrace;
- Left turn pocket at Crown Hill is problematic; suggested a "keep clear" lane and additional street markings;
- Light pollution is a concern; acknowledged that new street lighting points down and does not project into residential windows; requested clarification regarding authority for placement;
- Flooding issue needs to be further researched through FEMA guidelines;
- Suggested that the applicant/architect research similar style condominiums with garage above living area built on hillside in Pismo Beach as it relates to leaking, water damage, etc.;
- Need to reach balance point; spoke of goal to preserve existing structures and appreciates efforts to develop a project;
- Housing will be an asset to the City;
- Can make adjustments to create a project to compliment the City.

Mr. Boud commented on the Class 2 base (impervious surface) issue and stated it only relates back to whether or not the pervious surface or an impervious surface area would demand the need for a drainage retention basin. He noted that because the property is in the flood zone, it is somewhat irrelevant whether it is pervious or impervious.

Council Member Arnold clarified that there appeared to be some ability to transplant some of the trees and suggested that a tree survey be completed in order to determine the status of the trees and to include the Tree Guild in that process. He also referred to the proposed height of the retail building and suggested that the applicant consider an alternative design that steps the top floors back from the street.

Mayor Ferrara suggested directing staff to facilitate the issue concerning the impervious surfaces, along with the applicant, and also that staff facilitate the involvement of the Tree Guild concerning the issue of the trees.

Council Member Arnold moved to continue the item to a date uncertain, Mayor Pro Tem Guthrie seconded, and the motion passed on the following roll-call vote:

AYES: Arnold, Guthrie, Costello, Ferrara
NOES: Dickens
ABSENT: None

9.b. Consideration of the 2006 Drainage Master Plan Update.

Assistant City Engineer Linn presented an overview of the 2006 Drainage Master Plan Update, noting that the Drainage Master Plan was originally approved on November 9, 1999, it assesses adequacy of existing infrastructure, provides a financial tool for funding current and future improvements, and determines a schedule for maintenance projects. He noted the Plan includes major components, such as a review of the area drainage patterns, a review of the City's major creeks and flood plain management programs, identifies drainage policy zones, drainage basin policies, best management practices for improvement of storm water quality, identification of drainage problems in the City, and proposed projects to correct City drainage problems. He then introduced Contract Engineer Campbell to present the Newsom Springs project.

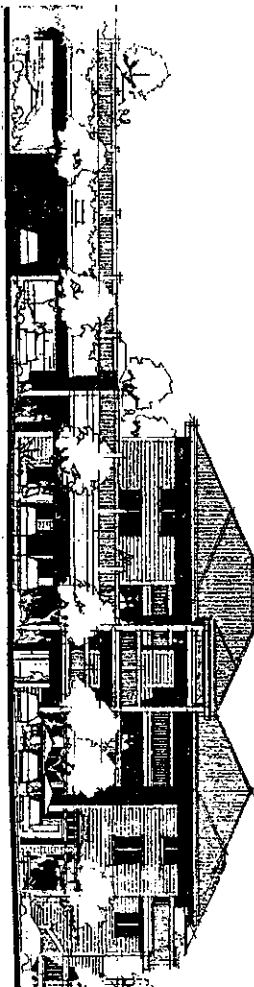
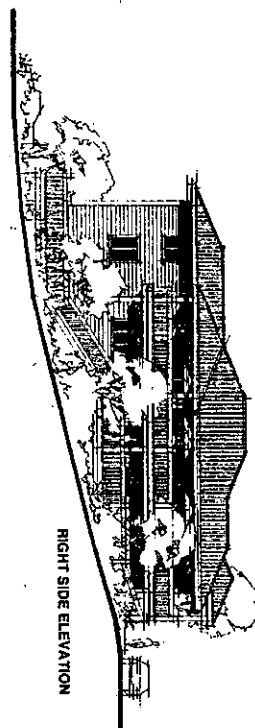
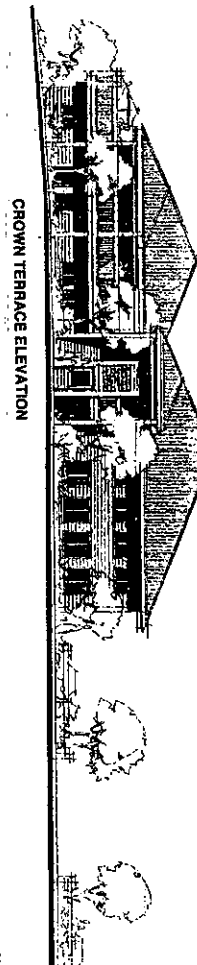
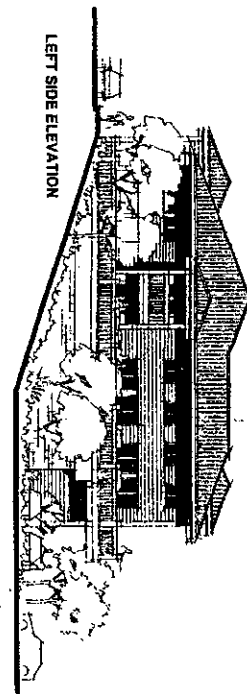
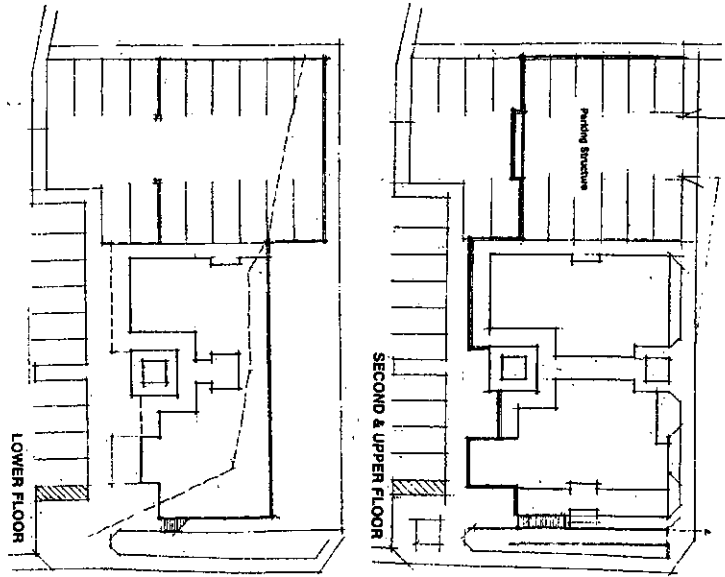
Council Member Dickens declared a conflict of interest due to his indirect interest in the Dixon Ranch, as it relates to the Newsom Springs project, and said he would need to recuse himself. He expressed concern with due process as it relates to proper notification, inadequate information presented to the Council and the public, and significant material that was not provided to the Council and the public in a timely fashion. He stated that staff was recommending that information be presented specifically with regard to Newsom Springs and that the public notice only referred to a public hearing concerning the Drainage Master Plan. He noted that the Planning Commission had specifically requested that staff notify all individuals that are affected by the Newsom Springs project, and that had not been done. He stated it was inappropriate to move forward and discuss anything regarding Newsom Springs until proper notification is made.

ATTACHMENT 7
(OF ATTACHMENT 1)

COMMERCIAL /
OFFICE BUILDING

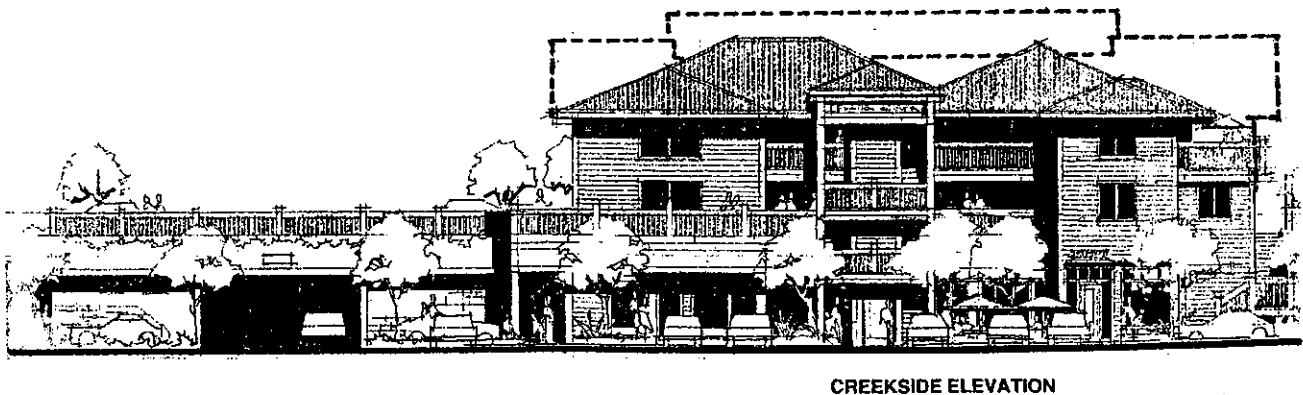
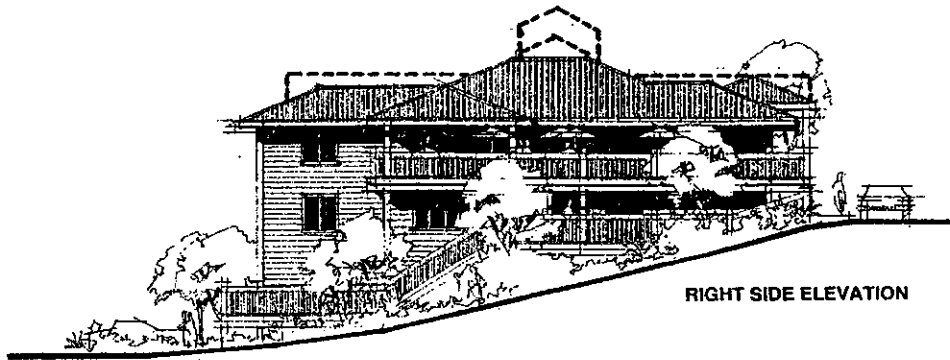
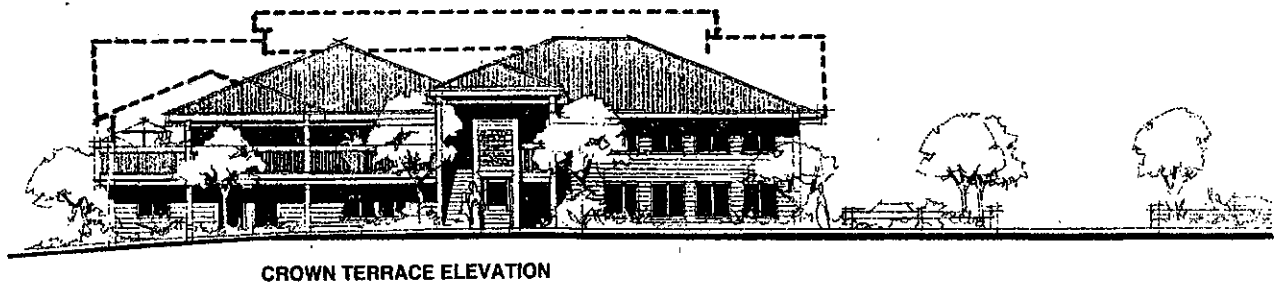
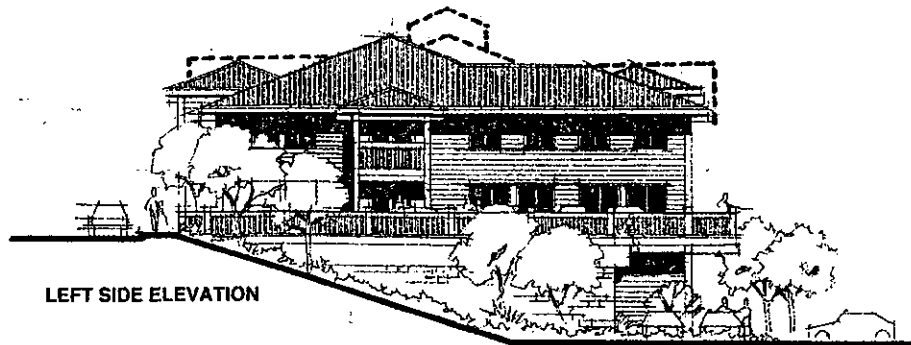
COMMERCIAL / OFFICE BUILDING

1ST FLOOR AREA	3,281 sq ft
2ND FLOOR AREA	4,294 sq ft
3RD FLOOR AREA	4,294 sq ft
4TH FLOOR AREA	4,294 sq ft
5TH FLOOR AREA	4,294 sq ft
6TH FLOOR AREA	4,294 sq ft
7TH FLOOR AREA	4,294 sq ft
8TH FLOOR AREA	4,294 sq ft
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10TH FLOOR AREA	4,294 sq ft
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31ST FLOOR AREA	4,294 sq ft
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70TH FLOOR AREA	4,294 sq ft
71ST FLOOR AREA	4,294 sq ft
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94TH FLOOR AREA	4,294 sq ft
95TH FLOOR AREA	4,294 sq ft
96TH FLOOR AREA	4,294 sq ft
97TH FLOOR AREA	4,294 sq ft
98TH FLOOR AREA	4,294 sq ft
99TH FLOOR AREA	4,294 sq ft
100TH FLOOR AREA	4,294 sq ft



COMMERCIAL BUILDING

Proposed redesign w/previous design shown as dashed lines



Carolyn B. Leach Consulting, LLC
444 Blume Street, Nipomo, CA 93444
(805) 929-9020

Registered Consulting Arborist #368, A.S.C.A.
 W.C.I.S.A. Certified Arborist #727
 Calif. Lic. Pest Control Advisor #AAO2882

Sept. 1, 2008

Mr. Joseph Boud
 Joseph Boud & Associates
 1009 Morro Street, Suite 206
 San Luis Obispo, CA 93401

Re: The Creekside Complex, Arroyo Grande

Dear Mr. Boud:

I have completed my examination of the trees located at "The Creekside Complex", at 415 East Branch Street in Arroyo Grande. You have asked me to inventory and assess the trees found in the northern most corner of the property, adjacent to both Crown Terrace and Le Pointe Streets. The trees are located as in the area shown on the attached sketch marked "Exhibit A". To further clarify, I included all trees along the Le Pointe frontage from the intersection westward to the end of the existing paving.

You have asked me to review the potential for these trees to survive transplanting. I have found only two tree species with good chances to thrive after transplanting, that being the Coastal live oak and the palm.

I have assigned each tree a number and am providing you a sketch showing the tree locations, tree species, and trunk size on the attached "Exhibit B, pgs 1 & 2".

I found 85 trees within this portion of the property. The majority are Leyland cypress (*x Cupressocyparis leylandii*). A summary of the trees inventoried is found on the following table:

Quantity	Botanical Name	Common Name
70	<i>x Cupressocyparis leylandii</i>	Leyland cypress
5	<i>Tristania conferta</i>	Brisbane box
3	<i>Salix laevigata</i>	Willow
2	<i>Quercus agrifolia</i>	Coastal live oak
2	<i>Populus trichocarpa</i>	Cottonwood
2	<i>Myoporum laetum</i>	Myoporum
1	<i>Phoenix canariensis</i>	Canary Island date palm

RECEIVED

SEP 5 2008

CITY OF ARROYO GRANDE
 COMMUNITY DEVELOPMENT

Tree Characteristics:

The cypress trees have moderately good vigor, with dark green foliage and very dense canopies. I found no evidence of insect or disease affecting the cypress. The cypress along Crown Terrace appear to have never been pruned, as they have retained all of their lower branches. Along Le Pointe street, however, the cypress are planted directly beneath power lines, and have been topped, apparently by PG&E crews, to maintain adequate clearance from the power lines.

The cypress were planted extremely close together, about four feet between each tree, in straight rows that parallel each street. They are perhaps 10 years old. They are from 20 to 30 feet tall and about 20 feet wide. The remaining area below the trees is not landscaped and not irrigated, and has a covering of weeds and other volunteer plants. The soil level below the trees along Crown Terrace is a steeply graded slope. At Le Pointe, the area below the trees has drainage channels, making for uneven terrain.

Since the cypress are planted so close together, there is the problem of competition with each other for sunlight and for growing space. When looked at individually, they have thin canopies, with many of their lower branches having died back. This is not apparent when the entire row is viewed as a group from a distance. Additionally, the branches are heavily intertwined, with crossing and rubbing branches common throughout.

The cypress are not a native species, but rather are a cultivated hybrid plant. This hybrid has been promoted heavily in the landscape trade over the past 20 years because it grows extremely quickly. From the time it starts as a six inch cutting, it can grow to a 20 feet tall tree within five years.

The Brisbane box trees are all very young, perhaps 3 to 5 years old. They have sparse canopies, as they are growing in the shade, and they prefer full sun.

The willows are a native species that is common to the riparian areas in the Village. They are very old trees. The majority of their major branches are heavily decayed and infested with termites. Their vigor is very poor.

The two oaks are native species, and are likely volunteer seedlings from neighboring oak woodlands. They are young, vigorous trees, with trunk diameters of 4 inches for the smallest and 8 inches for the largest tree.

The cottonwood trees are also native to our area. They are perhaps 20 years old, with the smaller tree having a single 8" trunk and the larger tree a double

trunk (8" / 7"). Both cottonwoods are heavily infested with rust disease on their foliage.

The myoporum are large tree-like shrubs with trunk diameters of 8" and 10". They are not native. They are listed by many experts as an invasive weed, as they are easily spread by seed and will invade native habitats. They grow extremely fast.

The Canary Island date palm is a fairly young tree, with an overall height to the top of the newest fronds of about 15 feet. It is not native. This type of palm is popular for its massive size but is also reviled because its ease in re-seeding into areas where it is not wanted. This particular palm is most likely a "volunteer" seedling, since it is located directly below the power lines, where birds tend to perch while feeding. It is vigorous and normal in size and coloration.

Discussion on Transplant Potential:

A critical question at this point for The Creekside Complex, is whether the trees have the potential of surviving or thriving should they be transplanted.

The cypress have several marks against them to be worthy for transplanting. Firstly, they are planted too close together. It will be impossible to de-tangle their canopies and their roots, except perhaps for the very endmost tree on each row. Secondly, the existing grades are steep, causing the shape of the roots system to likewise be slanted upward on one side of the tree and downward on the other side. This misshapen root ball will be very difficult to move without it breaking apart, and nearly impossible to find an adequate planting site that matches the root shape. Thirdly, coniferous trees are difficult to transplant because the amount of root loss will trigger dehydration in the tree, attracting bark boring insects which then attack and kill the tree. Cypress bark borers are one of the most common reasons for death in cypress.

Since this species of cypress grows extremely vigorously, it would be wiser to plant new trees. The new trees will no doubt out-pace any transplanted tree in growth and vigor, as well as in potential lifespan length.

The Brisbane box trees are young enough to transplant, but are hardly worth the effort, since trees this identical size are easily available in 24" and 36" boxed sizes.

The willow trees are too large to transplant, and are too diseased.

The oak trees are young and small enough to transplant, if adequate care is taken during and following the move.

The cottonwood trees are too large to transplant.

The myoporum shrub/trees are not worth the effort to transplant, since they grow extremely rapidly from new plantings. They are available in most nurseries. But I would caution using this plant, as it may become a noxious invasive if it spreads into unwanted areas.

The palm is easily transplanted. It is currently growing directly beneath power lines, so it can not remain in this location for long regardless.

Transplanting Notes:

Tree transplanting is a precise, complex task that should only be undertaken by experienced professionals. Species of tree, time of year, size of root ball, preparation of planting site, care of tree while boxed, drainage, and care following transplantation all have a big effect of the success of the transplanting.

Guidelines are available in the text *Principles and Practices of Planting Trees and Shrubs* by Gary Watson and E. B. Himelick, published by the International Society of Arboriculture. Additional information is found in the articles titled *Tree Transplanting and Establishment* Arbor Age magazine June 2000, and *Transplanting Trees* Arbor Age magazine January and February 2000.

In general, a broadleaf tree with a 5-inch trunk diameter needs a root ball that is 50 inches wide and 30 inches deep. Palms root balls are not sized in the same manner, and are often moved with smaller root balls.

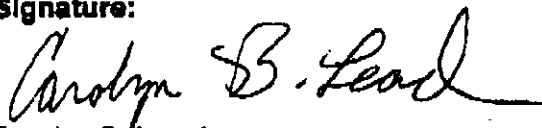
At all times, adequate soil moisture and proper drainage must be maintained in the root ball, whether stored in a box or immediately planted in the ground. Loss of roots are inevitable during transplanting, and lack of soil moisture or poor drainage are the key causes of stress following transplanting.

Conclusions:

The trees at this site that are good candidates for successful transplanting are the Coastal live oaks and the palm.

The remaining trees are either too large, too diseased, or too problematic to transplant. Additionally, all of the remaining species are very fast growing and easy to find commercially, so replacing with new trees is recommended.

Signature:

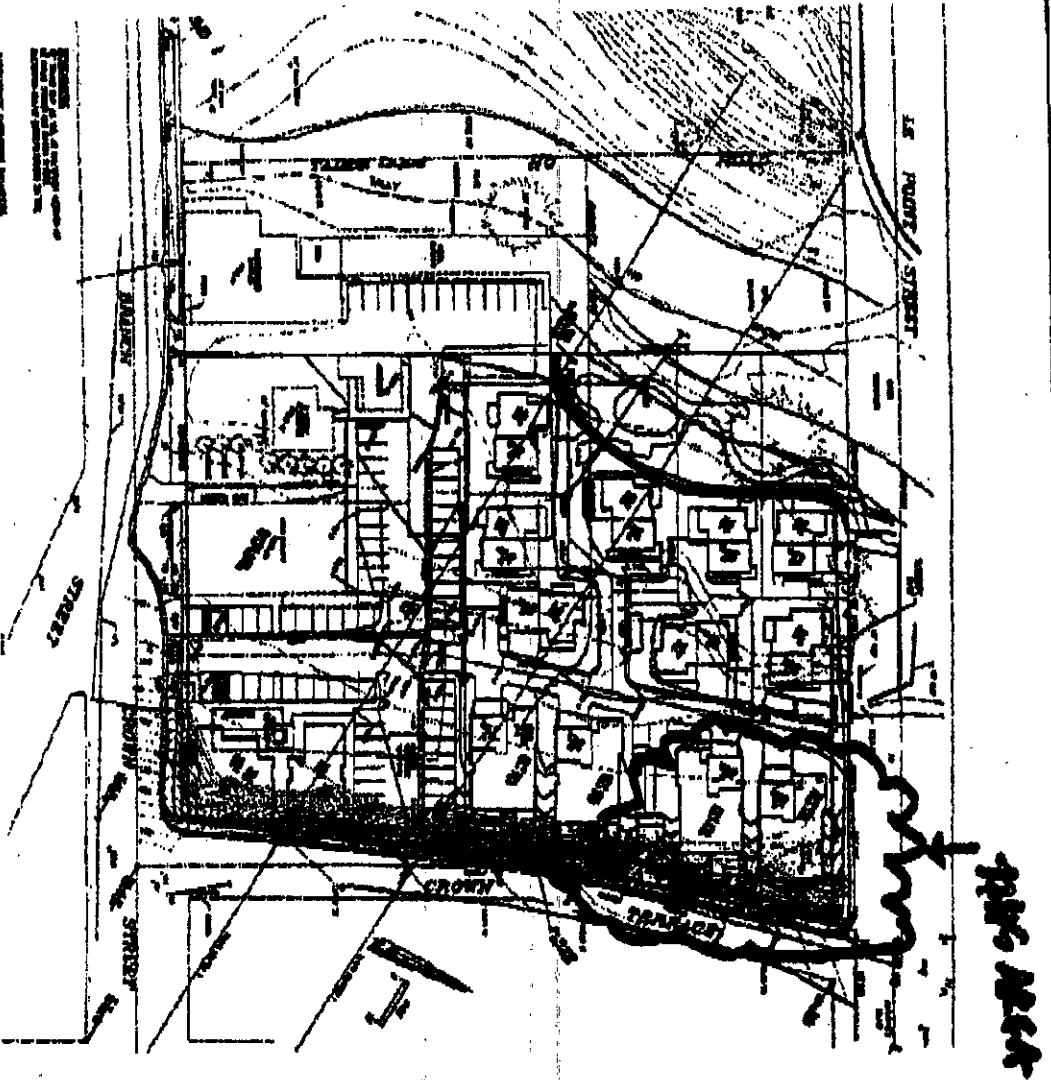


Carolyn B. Leach
A.S.C.A. Registered Consulting Arborist #368

LIMITING CONDITIONS:

Information in this report covers only the trees examined and reflects the conditions of the trees at the time of inspection. There is no warranty, either express or implied, that the subject trees will not develop problems or deficiencies in the future. Sources of information used in this report are accepted as standard resources, however, the author cannot guarantee the accuracy of information provided by others. Possession of this report or a copy thereof does not imply the right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior written consent of the consultant. Loss or alteration of this report invalidates the entire report. The inspection is limited to visual examination of tree location, as viewed from the ground, without dissection, excavation, probing, or coring. No review of tree structural conditions or hazard potential has been provided.

CREEKSIDE **Preliminary Grading Plan** **'EXHIBIT A'**



NO.	DESCRIPTION	AMOUNT	UNIT PRICE	TOTAL
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Preliminary Grading Plan
 VESTING TENTATIVE
 TRACT MAP
 NO. 2346

1. REVIEW OF
 RECORDS & MAPS
 2. FIELD SURVEY
 3. PRELIMINARY
 DESIGN
 4. PRELIMINARY
 GRADING PLAN
 5. PRELIMINARY
 EROSION CONTROL
 PLAN
 6. PRELIMINARY
 DRAINAGE PLAN
 7. PRELIMINARY
 UTILITIES PLAN
 8. PRELIMINARY
 SITE PLAN
 9. PRELIMINARY
 CONSTRUCTION
 SCHEDULE
 10. PRELIMINARY
 BUDGET
 11. PRELIMINARY
 FINANCIAL STATEMENT
 12. PRELIMINARY
 LEGAL OPINION
 13. PRELIMINARY
 ENVIRONMENTAL
 IMPACT STATEMENT
 14. PRELIMINARY
 HISTORIC PRESERVATION
 REVIEW
 15. PRELIMINARY
 CULTURAL RESOURCE
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 16. PRELIMINARY
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 ARCHAELOGICAL
 EVALUATION

TREE LOCATIONS

BT C. LEACH
9/1/06

"EXHIBIT B"
PAGE #1

MATCH LINE
SHEET #2

37
28°/22° S

35-12°/20°/10° S

24
8° Q

3
10° M

30
2°/2°/4° Q

41	8"	C
40	8"	C
39	9"	C
38	9 1/5"	C
37	9"	C
36	9"	C
35	9"	C
34	9"	C
33	10"	C
32	13"	C
31	9"	C
30	10"	C
29	11"	C
28	10"	C
27	13"	C
26	9 1/10"	C
25	9"	C
24	9"	C
23	10"	C
22	9"	C
21	8"	C
20	12"	C
19	9"	C
18	9"	C
17	8 1/8"	C
16	8"	C
15	15"	C
14	10"	C
13	3"	C
12	9"	C
11	10"	C
10	11"	C
9	11"	C
8	11"	C
7	16"	C

C = CYPRESS
S = SKUNK
M = MYOPORUM
Q = QUERCUS

CLOWN TALKACE

North

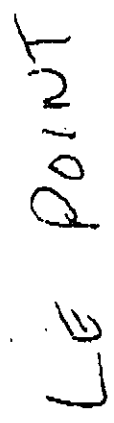
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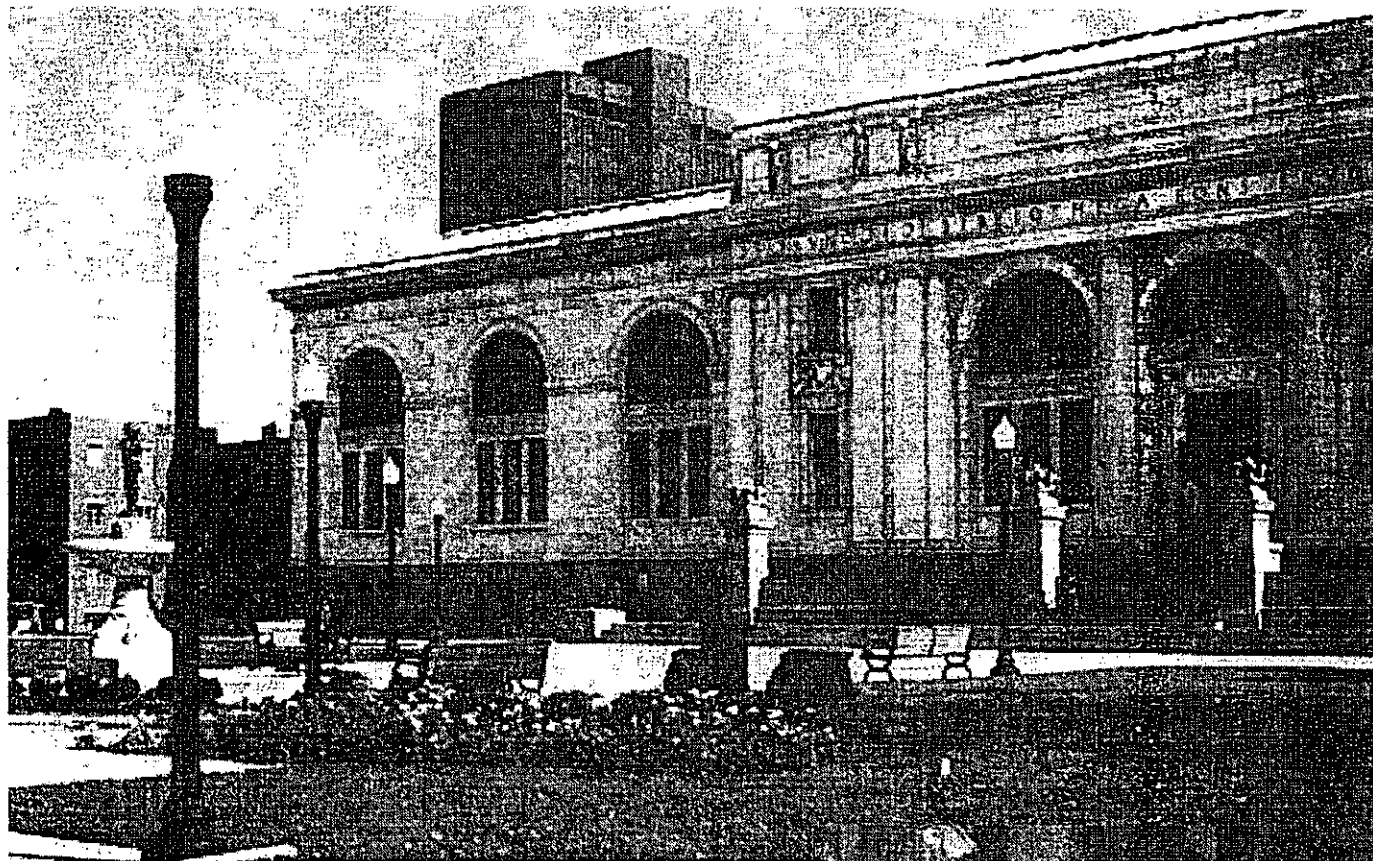


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DECORATIVE OUTDOOR LIGHTING

Your utility company may provide more than just your gas and electricity; they may also be your outdoor lighting company. They can often help upgrade the lighting for your downtown areas, residential streets, parks, marinas and public building exteriors. Using the attractive and high performing fixtures and poles on their standards, you can improve security as well as enhance the daytime and nighttime appearance of your community. After the fixtures are installed, your utility company may take care of all of the electrical service and maintenance for only pennies a night.



Upgrading your outdoor lighting will:

- Improve traffic and pedestrian safety
- Reduce crime
- Attract customers to commercial areas
- Enhance the appearance of historic districts
- Increase civic pride in your community



STANDARD FIXTURES

Your utility company has approved these fixtures for their standards because they meet their demanding requirements for durability, energy efficiency, reliability, ease of maintenance and appearance. These fixtures feature high-strength, non-yellowing, borosilicate glass globes; side access door for ease of electrical service; and fade resistant polyester powder coat finishes. These features ensure that the lighting fixtures and poles shown here will continue to complement your community for many years to come.

GRANVILLE ACORN

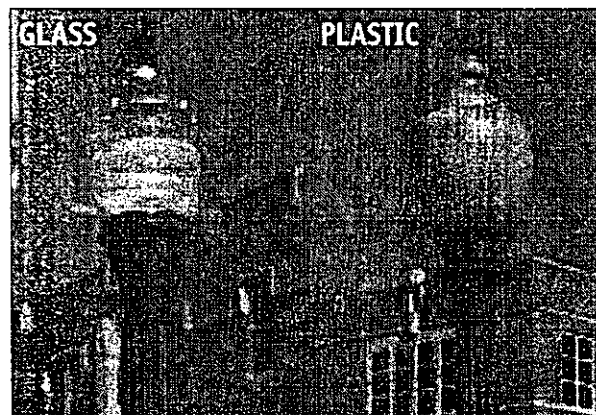


The Granville is a timeless glass acorn that produces a very wide lateral throw of light. This light distribution allows for efficient pole spacings and increases light levels on important vertical surfaces such as vehicles, pedestrians, building entrances and signage

FEATURES

BOROSILICATE GLASS

High-strength, borosilicate glass is the ideal material for outdoor fixtures. Unlike plastic materials, glass never discolors or turns brittle. Also, because the clarity of the material does not degrade, there is minimum loss in light output over time. Occasional rainfall is all that is required to keep these beautiful globes clean and sparkling year after year.



What would you like the fixtures in your community to look like in a few years?

LONG-LIFE FINISH

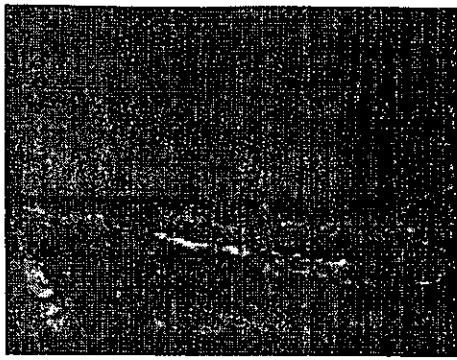
The components of a successful finish are cleaning, pretreatment, and coating. A seven stage process of cleaning and pretreatment is applied to each fixture housing to ensure that paint firmly adheres to the metal surfaces. Following the extensive preparation process, environmentally friendly, polyester powder coating is electrostatically applied to the fixture housings. This extensive coating system results in a long life finish that stubbornly resists fading and peeling.



REDUCED UPLIGHT OPTIONS

SKY GLOW

As populations have grown, so has the problem of sky glow. Direct and reflected light from streetlights and other outdoor electric lighting cause skies above urban areas to glow and thereby reduces the ability to view the stars. This problem has made it significantly more difficult for astronomers to see and study astronomical objects. For additional information about this issue, visit the website of the International Dark Sky Association at www.darksky.org. To address the problem of direct uplight, the Granville is offered with two reduced uplight options.

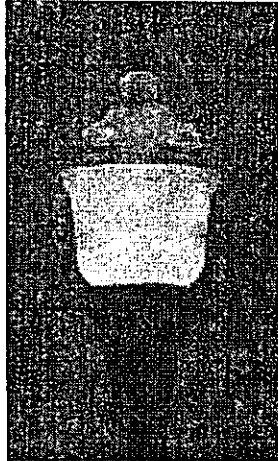


PERFORATED UPLIGHT SHIELD

To help reduce undesired uplight, an internal perforated uplight shield is available. This option will decrease the direct upward component of light without significantly affecting the pole spacing ratios or the illumination of important vertical surfaces. A small amount of uplight continues to allow the top of the fixture to glow - reminiscent of early gas and incandescent light fixtures. In addition, the daytime appearance of the glass globe is not impacted by this option.

"CUTOFF" LUNAR OPTICS

The Lunar Optics Granville uses an internal reflector to reduce the high angle light output of the fixture. The shielding provided by this reflector reduces light trespass and direct uplight while maintaining the pure daytime appearance of the classic Granville. This unique design allows this product to be classified as a "cutoff fixture" by the Illuminating Engineering Society of North America.



FIXTURE ORDERING INFORMATION

Fixture Housing

GVU - Granville

Ballast Type

070HP - For use with mogul base 70W HPS lamps
100HP - For use with mogul base 100W HPS lamps

Voltage

12 - 120V
20 - 208V
24 - 240V
27 - 277V
48 - 480V
MT - 120/208/240/277V Multi-tap

Fixture Finishes

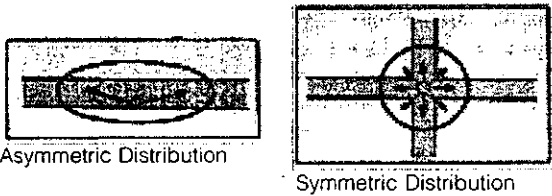
B - Black
N - Dark Green

Optical Systems (See diagrams below)

3 - Asymmetric Distribution
5 - Symmetric Distribution
3PUS - Asymmetric Distribution with Perforated Uplight Shield
5PUS - Symmetric Distribution with Perforated Uplight Shield
7 - Lunar Optics Asymmetric Distribution
8 - Lunar Optics Symmetric Distribution

Options and Accessories

P - Protected Starter (Prevents lamp from "cycling" at end of life)
H - NEMA Twistlock Photocontrol receptacle
DE120 - Twistlock Electronic, Silicone, Filtered Photocontrol (120V)
DE124 - Twistlock Electronic, Silicone, Filtered Photocontrol (12/240/277V)
DE240 - Twistlock Electronic, Silicone, Filtered Photocontrol (240V)
F1 - Single Fusing (120V, 240V, 277V) - field installed
F2 - Double Fusing (208V, 240V) - field installed
GV1ASD90 - 90° Houseside Shield
GV1ASD120 - 120° Houseside Shield
GV1ASD180 - 180° Houseside Shield



The light distribution pattern is determined by the fixture's optical system. For illuminating streets and pathways, an asymmetric (Type III) pattern is recommended. For intersections and open area applications (parks, outdoor malls, etc.), the symmetric (Type V) pattern is typically used.

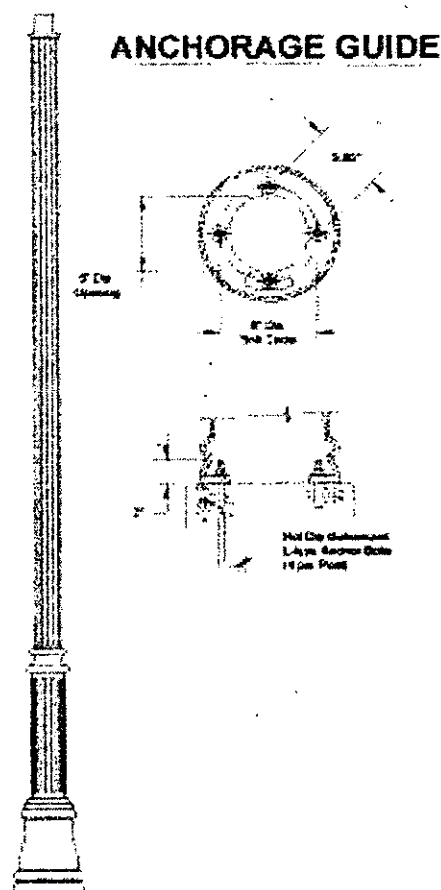
FIXTURE ORDERING GUIDE

Complete Catalog Number Example - **GVU100HP12B3PHDE120**

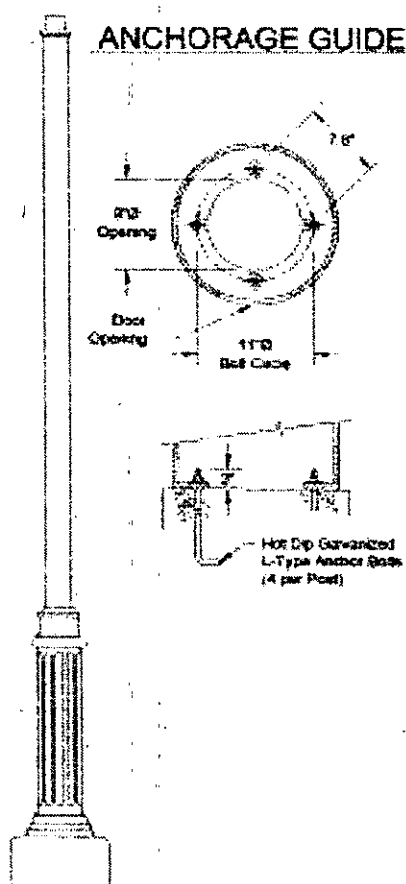
Fixture	Ballast	Voltage	Finish	Optical Type	Options and Accessories
GVU	070HP	12	B	3	P
	100HP	20	N	5	H
		24		3PUS	DE120
		27		5PUS	DE124
		48		7	DE240
		MT		8	F1
					F2
					GV1ASD90
					GV1ASD120
					GV1ASD180

STANDARD POLES

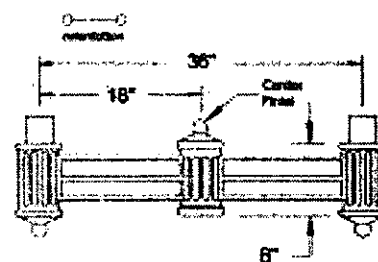
To complement the fixtures shown on the previous pages, these durable and economical poles are available. These poles feature corrosion resistant cast aluminum bases and extruded aluminum shafts. Both smooth and fluted shafts are offered. For twin fixture applications, the decorative crossarm may be used. The poles and crossarm are finished with fade and abrasion resistant, polyester powder coat paint.



CHARLESTON
(shown with fluted shaft)



HAMILTON
(shown with smooth shaft)



**TWIN FIXTURE
CROSSARM**

POLE ORDERING GUIDE

Pole Ordering Example **CH14 S4/12-CA/BK-WPRT**

Pole Type	Height	Shaft Type	Finish	Options
CH - Charleston	12 14	S4/12 - Smooth F4/12 - Fluted	CA/BK - Black CA/DG - Dark Green	WPRT* - Receptacle
H - Hamilton	8 10 12 14	S4/16 - Smooth F4/16 - Fluted	CA/BK - Black CA/DG - Dark Green	WPRT* - Receptacle

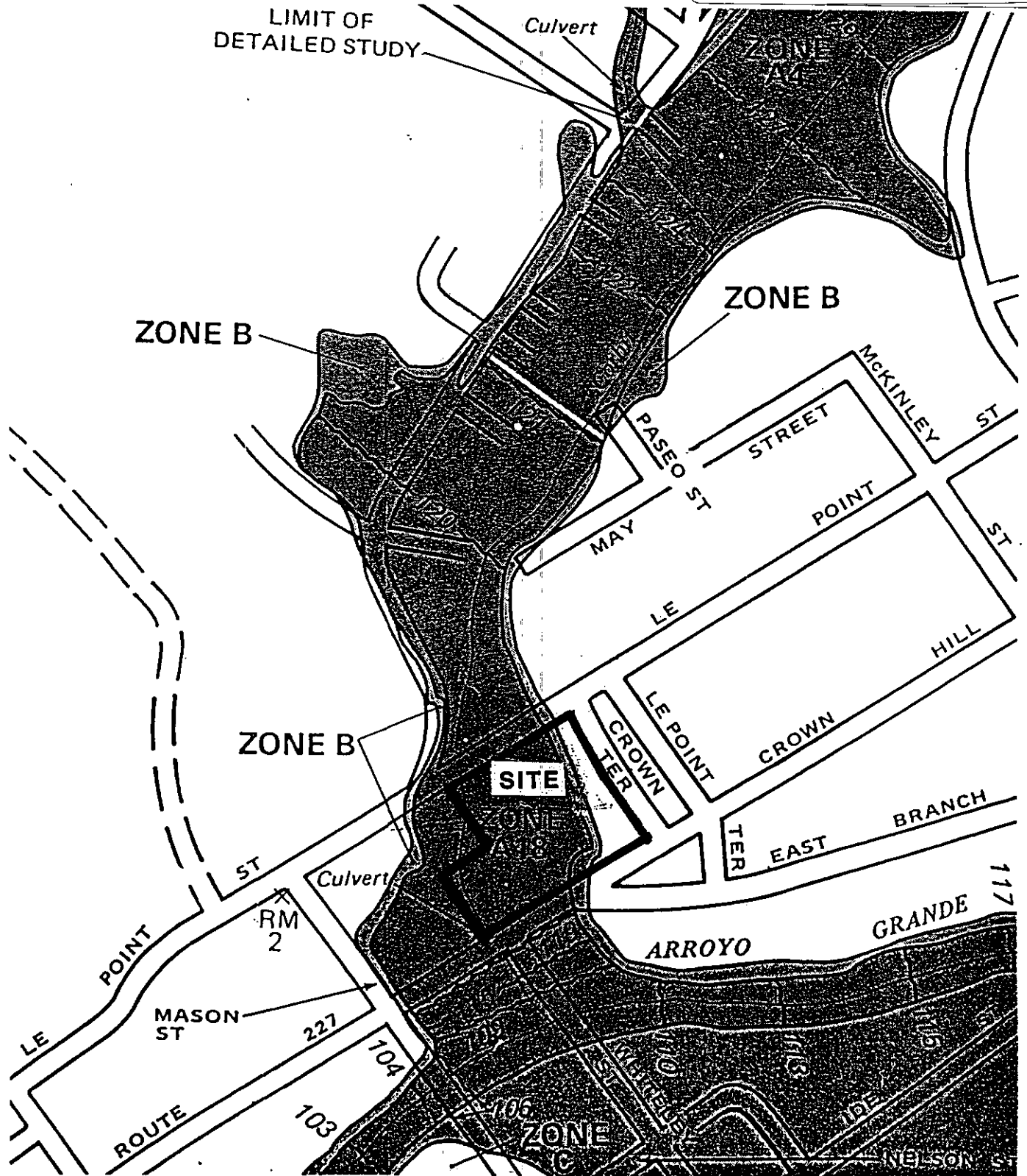
*Weatherproof receptacle mounted at top of pole

CROSSARM ORDERING GUIDE

Crossarm ordering example **PCP36-CA/BK**

Twin Crossarm	Finish
PCP36	CA/BK - Black CA/DG - Dark Green

FLOODPLAIN



**LIMITED SOILS ENGINEERING REPORT
LOOMIS BARN
TENTATIVE VESTING TRACT 2346
EAST BRANCH/CROWN HILL STREET
ARROYO GRANDE, CALIFORNIA**

PROJECT SL05829-1

Prepared for

DB & M Properties, LLC
Attn: Duane DeBlauw
411 El Camino Real
Arroyo Grande, California 93420

Prepared by

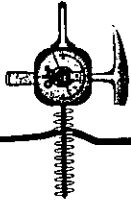
**GEO SOLUTIONS, INC.
220 HIGH STREET
SAN LUIS OBISPO, CALIFORNIA 93401
(805) 543-8539**

RECEIVED
SEP 25 2006
CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

©

September 19, 2006





GeoSolutions, INC.

220 High Street, San Luis Obispo, CA 93401
(805) 543-8539, 543-2171 fax
info@GeoSolutions.net

September 19, 2006
Project SL05829-1

DB & M Properties, LLC
Attn: Duane DeBlauw
411 El Camino Real
Arroyo Grande, California 93420

Subject: Limited Soils Engineering Report
Loomis Barn, Tentative Vesting Tract 2346
East Branch/Crown Hill Street
Arroyo Grande, California


Dear Mr. DeBlauw:

This Limited Soils Engineering Report has been prepared for the proposed Tentative Vesting Tract 2346 located at the historic Loomis Barn, west of Crown Terrace, north of East Branch/Crown Hill Street, in the City of Arroyo Grande, California. Geotechnically, the near-surface materials are suitable to provide sufficient site drainage for the proposed development.

Given the surface layer of imported base material of 5 to 12 inches encountered in the limited soil investigation, it is assumed that the sub-surface infiltration at the site is negligible.

Thank you for the opportunity to have been of service in preparing this report. If you have any questions or require additional assistance, please feel free to contact the undersigned at (805) 543-8539.

Sincerely,
GeoSolutions, Inc.


Patrick B. McNeill, PE
Principal CE 59577



S:\Geotechnical\SL05829-1 Loomis-DeBlauw\SL05829-1 Loomis Barn Transmittal Letter.doc

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3.0	FIELD AND LABORATORY INVESTIGATION	2
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6.0	CONCLUSIONS AND RECOMMENDATIONS	3
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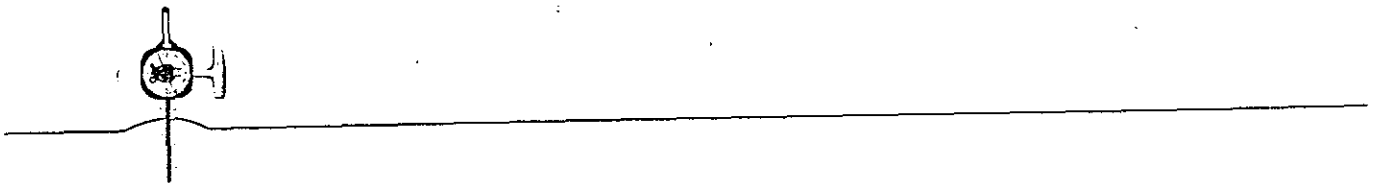
APPENDIX A

Field Investigation
Soil Classification Chart
Boring Logs



LIST OF FIGURES

Figure 1: Area Location Map.....	1
Figure 2: Site Plan	1



**LIMITED SOILS ENGINEERING REPORT
LOOMIS BARN
TENTATIVE VESTING TRACT 2346
EAST BRANCH/CROWN HILL STREET
ARROYO GRANDE, CALIFORNIA**

PROJECT SL05829-1

1.0 INTRODUCTION

This report presents the results of the limited geotechnical investigation for the proposed Tentative Vesting Tract 2346 located at Loomis Barn, west of Crown Terrace, north of East Branch/Crown Hill Street, in the City of Arroyo Grande, California. See Figure 1: Area Location Map.

The proposed tract area is approximately trapezoidal in shape and roughly 3 acres in size. East Branch/Crown Hill Street abuts the southern tract boundary and provides access to the property. Crown Terrace abuts the eastern property boundary and intersects with East Branch/Crown Hill Street at the southeast corner of the tract. The property will hereafter be referred to as the "Site." See Figure 2: Site Plan

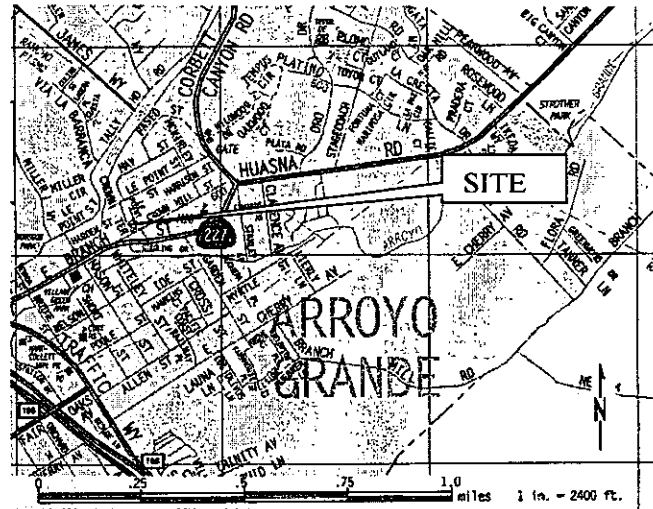


Figure 1: Area Location Map

Site topography consists of a steep-sloping hill located along the edge of the eastern property boundary and a slight down-slope to the west and northwest across the remainder of the property. The gradient across the majority of the site is at an average slope of approximately 50-to-1 (horizontal-to-vertical) and increases to approximately 15-to-1 in the north-central region of the tract. Surface drainage in general follows the topography to the northwest and into Corbett Creek, which runs along the northern property boundary. There are several existing structures located on the tract including a store and wood shed.

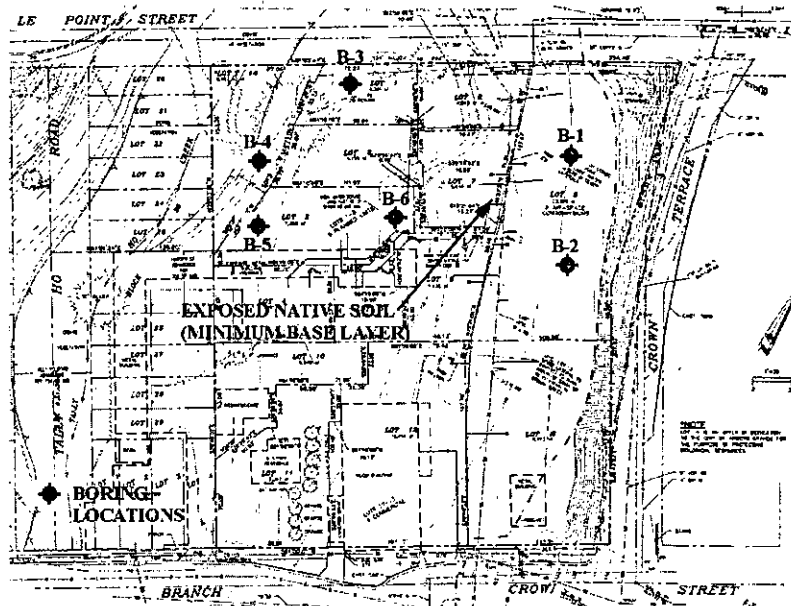


Figure 2: Site Plan



2.0 PURPOSE AND SCOPE

The purpose of this study was to explore and evaluate the near surface soil conditions at the Site and develop geotechnical information and design criteria. The scope of this study includes the following items:

1. A review of available published and unpublished geotechnical data pertinent to the project site.
2. A field study consisting of a site reconnaissance and an exploratory boring program to formulate a description of the near surface conditions.
3. Analysis of the data gathered during our field study and laboratory testing.
4. Development of recommendations and geotechnical design criteria for drainage, erosion, and pavement base section.

3.0 FIELD AND LABORATORY INVESTIGATION

The field investigation was conducted on September 13, 2006 using a track-mounted mobile B-24 drill rig. Six exploratory borings to a maximum depth of 1.5 feet below ground surface (bgs) were placed at the approximate locations indicated on the Site Plan.

The surface materials at the Site generally consisted of light grayish brown well-graded SAND with gravel (SW), referred to as imported base, encountered in a dry condition to depths of 5 to 12 inches below ground surface (bgs). Underlying this material, the sub-surface soils consisted of dark brown silty SAND (SM) encountered in a slightly moist and medium dense condition. The borings were terminated at 1.5 feet bgs in this material. Groundwater was not encountered in any of the borings.

During the boring operations the soils encountered were continuously examined and visually classified. A project engineer has reviewed a continuous log of the soils encountered at the time of field investigation. The Boring Logs are attached in **Appendix A**.

4.0 GENERAL SURFACE SOILS DISCUSSION

Based on the results of the field investigation, the imported base encountered throughout the Site is suitable as a sub-base material for future development. The base layer was visually classified as light grayish brown well-graded SAND with gravel (SW) and ranged in thickness from 5 to 12 inches throughout the Site. However, in a depression area located in the northern portion of the property, native soils were identified at the surface and the base layer appeared to be minimal or non-existent. The native material was visually classified as dark brown silty SAND (SM) and is not suitable as a base material. See Figure 2: Site Plan.

5.0 SITE DRAINAGE

It is assumed that the existing surface conditions at the Site provide near impervious surface drainage. In general, surface drainage is to the west and then north into Corbett Creek. Surface drainage in the western portion of the tract follows the topography, across the existing base sections, to the west and northwest and into the creek. In the eastern portion of the tract, surface drainage flows west into a surface depression, located in the north-central region of the tract, and its topography to the north. Native material consisting of brown silty SAND (SM) was identified at the surface of this depression and may increase erosion potential. Overall, the remainder of the Site is covered with a 5 to 12 inch base layer, limiting the potential for erosion and increasing the run off in all other areas of the tract.



6.0 CONCLUSIONS AND RECOMMENDATIONS

It is anticipated that the existing base material will provide for non-expansive sub-base in future developments. The recommendations in this report are limited to site drainage, erosion potential, and the suitability of the existing base material. An additional Soils Engineering Report is recommended for the proposed development to determine deeper sub-surface conditions and foundation recommendations.

7.0 ADDITIONAL GEOTECHNICAL SERVICES

The recommendations contained in this report are based on a limited number of borings and on the continuity of the near-surface conditions encountered. It is assumed that GeoSolutions, Inc. will be retained to perform the following services:

1. Final Soils Engineering Report including addition borings providing geotechnical recommendations for the proposed development.

8.0 LIMITATIONS AND UNIFORMITY OF CONDITIONS

1. The recommendations of this report are based upon the assumption that the soil conditions do not deviate from those disclosed during our study. Should any variations or undesirable conditions be encountered during the development of the Site, GeoSolutions, Inc. should be notified immediately and GeoSolutions, Inc. will provide supplemental recommendations as dictated by the field conditions.
2. This report is issued with the understanding that it is the responsibility of the owner or his/her representative to ensure that the information and recommendations contained herein are brought to the attention of the architect and engineer for the project, and incorporated into the project plans and specifications. The owner or his/her representative is responsible to ensure that the necessary steps are taken to see that the contractor and subcontractors carry out such recommendations in the field.
3. As of the present date, the findings of this report are valid for the property studied. With the passage of time, changes in the conditions of a property can occur whether they are due to natural processes or to the works of man on this or adjacent properties. Therefore, this report should not be relied upon after a period of 3 years without our review nor should it be used or is it applicable for any properties other than those studied. However many events such as floods, earthquakes, grading of the adjacent properties and building and municipal code changes could render sections of this report invalid in less than 3 years.

S:\Geotechnical\SL05829-1 Loomis-DeBlauw\SL05829-1 Loomis Barn, AG SER.doc



APPENDIX A
Field Investigation
Soil Classification Chart
Boring Logs



FIELD INVESTIGATION

The field investigation was conducted on September 13, 2006 using a Mobile B-24 drill rig. The near surface soil conditions were studied by advancing six exploratory borings. This exploration was conducted in accordance with presently accepted geotechnical engineering procedures consistent with the scope of the services authorized to GeoSolutions, Inc.

The Mobile B-24 drill rig with a 4-inch diameter solid-stem continuous flight auger bored six exploratory borings near the approximate locations indicated on the Site Plan. The drilling and field observation was performed under the direction of the project engineer. A representative of GeoSolutions, Inc. maintained a log of the soil conditions and obtained soil samples suitable for visual classification. The soils were classified in accordance with the Unified Soil Classification System. See Soil Classification Chart, **Appendix A.**

Standard Penetration Tests with a 2-inch outside diameter standard (SPT) split tube sampler and with a 3-inch outside diameter Modified California (CA) split tube sampler were performed to obtain an indication, in the field, of the density of the soil and to allow visual observation of at least a portion of the soil column. Soil samples obtained with the split spoon sampler are retained for further observation and testing. The split spoon samples are driven by a 140-pound hammer free falling 30 inches. The sampler is initially seated 6 inches to penetrate any loose cuttings and is then driven an additional 12 inches with the results (N-values) recorded in the boring logs as the number of blows per foot required to advance the sample the 12 inches.

Logs of the borings showing the depths and descriptions of the soils encountered, geologic structure where applicable, penetration resistance, and results of in-place density and moisture content tests are presented in this appendix. The logs represent the interpolation of soil conditions between samples and the results of visual classifications. The noted stratification lines represent the approximate boundaries between the surface soil types.



SOIL CLASSIFICATION CHART

MAJOR DIVISIONS		LABORATORY CLASSIFICATION CRITERIA		GROUP SYMBOLS	PRIMARY DIVISIONS
COARSE GRAINED SOILS More than 50% retained on No. 200 sieve	GRAVELS More than 50% of coarse fraction retained on No. 4 (4.75mm) sieve	Clean gravels (less than 5% fines*)	C_u greater than 4 and C_z between 1 and 3	GW	Well-graded gravels and gravel-sand mixtures, little or no fines
			Not meeting both criteria for GW	GP	Poorly graded gravels and gravel-sand mixtures, little or no fines
		Gravel with fines (more than 12% fines*)	Atterberg limits plot below "A" line or plasticity index less than 4	GM	Silty gravels, gravel-sand-silt mixtures
			Atterberg limits plot below "A" line and plasticity index greater than 7	GC	Clayey gravels, gravel-sand-clay mixtures
	SANDS More than 50% of coarse fraction passes No. 4 (4.75mm) sieve	Clean sand (less than 5% fines*)	C_u greater than 6 and C_z between 1 and 3	SW	Well graded sands, gravelly sands, little or no fines
			Not meeting both criteria for SW	SP	Poorly graded sands and gravelly sands, little or no fines
		Sand with fines (more than 12% fines*)	Atterberg limits plot below "A" line or plasticity index less than 4	SM	Silty sands, sand-silt mixtures
			Atterberg limits plot above "A" line and plasticity index greater than 7	SC	Clayey sands, sand-clay mixtures
FINE GRAINED SOILS 50% or more passes No. 200 sieve	SILTS AND CLAYS (liquid limit less than 50)	Inorganic soil	$PI < 4$ or plots below "A"-line	ML	Inorganic silts, very fine sands, rock flour, silty or clayey fine sands
		Inorganic soil	$PI > 7$ and plots on or above "A" line**	CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays
		Organic Soil	LL (oven dried)/ LL (not dried) < 0.75	OL	Organic silts and organic silty clays of low plasticity
	SILTS AND CLAYS (liquid limit 50 or more)	Inorganic soil	Plots below "A" line	MH	Inorganic silts, micaceous or diatomaceous fine sands or silts, elastic silts
		Inorganic soil	Plots on or above "A" line	CH	Inorganic clays of high plasticity, fat clays
		Organic Soil	LL (oven dried)/ LL (not dried) < 0.75	OH	Organic silts and organic clays of high plasticity
Peat	Highly Organic	Primarily organic matter, dark in color, and organic odor		PT	Peat, muck and other highly organic soils

*Fines are those soil particles that pass the No. 200 sieve. For gravels and sands with between 5 and 12% fines, use of dual symbols is required (i.e. GW-GM, GW-GC, GP-GM, or GP-GC).

**If the plasticity index is between 4 and 7 and it plots above the "A" line, then dual symbols (i.e. CL-ML) are required.

CLASSIFICATIONS BASED ON PERCENTAGE OF FINES

Less than 5%, Pass No. 200 (75mm)sieve)
More than 12% Pass N. 200 (75 mm) sieve
5%-12% Pass No. 200 (75 mm) sieve

GW, GP, SW, SP
GM, GC, SM, SC
Borderline Classification
requiring use of dual symbols

CONSISTENCY

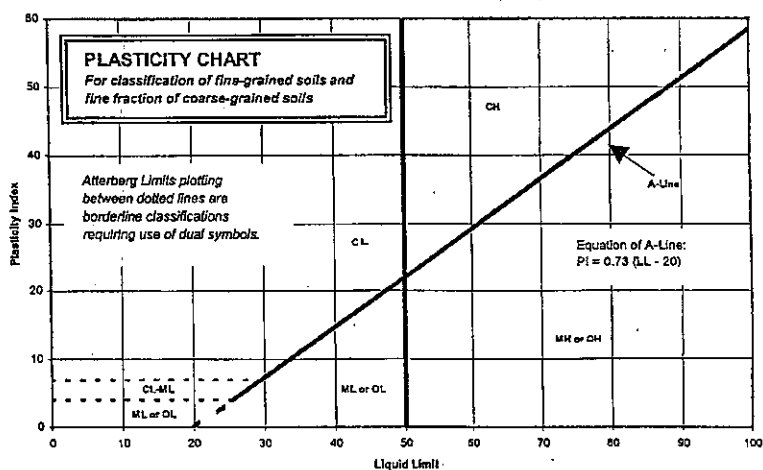
CLAYS AND PLASTIC SILTS	STRENGTH TONS/SQ. FT. ++	BLOWS/ FOOT +
VERY SOFT	0 - 1/4	0 - 2
SOFT	1/4 - 1/2	2 - 4
FIRM	1/2 - 1	4 - 8
STIFF	1 - 2	8 - 16
VERY STIFF	2 - 4	16 - 32
HARD	Over 4	Over 32

RELATIVE DENSITY

SANDS, GRAVELS AND NON-PLASTIC SILTS	BLOWS/ FOOT +
VERY LOOSE	0 - 4
LOOSE	4 - 10
MEDIUM DENSE	10 - 30
DENSE	30 - 50
VERY DENSE	Over 50

+ Number of blows of a 140-pound hammer falling 30-inches to drive a 2-inch O.D. (1-3/8-inch I.D.) split spoon (ASTM D1586).

++ Unconfined compressive strength in tons/sq.ft. as determined by laboratory testing or approximated by the standard penetration test (ASTM D1586), pocket penetrometer, torvane, or visual observation.



Drilling Notes:

1. Sampling and blow counts

- California Modified - number of blows per foot of a 140 pound hammer falling 30 inches
- Standard Penetration Test - number of blows per 12 inches of a 140 pound hammer falling 30 inches

Types of Samples:

- X - In-Situ
- SPT - Standard Penetration
- CA - California Modified
- N - Nuclear Gauge
- PO - Pocket Penetrometer (tons/sq.ft.)

BORING LOG

BOREING NO. **B-2**

JOB NO. **SL05829-1**

PROJECT INFORMATION

DRILLING INFORMATION

PROJECT: Loomis Barn, Arroyo Grande
 DRILLING LOCATION: See Figure 2, Site Plan
 DATE DRILLED: September 13, 2006
 LOGGED BY: KN

DRILL RIG: Mobile B-24
HOLE DIAMETER: 4 Inches
SAMPLING METHOD: SPT
HOLE ELEVATION: Not Recorded

▼ Depth of Groundwater: Not Encountered

Boring Terminated At: 1.5 Feet

Page 2 of 6

DEPTH	SOIL DESCRIPTION	USCS	LITHOLOGY	SAMPLE	BLOWS/ 12 IN	POCKET PEN, tsf	IN-SITU WATER	IN-SITU DRY DENSITY, pcf	OPTIMUM WATER CONTENT, %	MAXIMUM DRY DENSITY, pcf	EXPANSION INDEX (EI)	ATTERBERG LIMIT (PI)
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[illegible]

BORING LOG

BORING NO. **B-3**

JOB NO. **SL05829-1**

PROJECT INFORMATION

DRILLING INFORMATION

PROJECT: Loomis Barn, Arroyo Grande

DRILLING LOCATION: See Figure 2, Site Plan

DATE DRILLED: September 13, 2006

LOGGED BY: KN

DRILL RIG: **Mobile B-24**

HOLE DIAMETER: 4 Inches

SAMPLING METHOD: SPT

HOLE ELEVATION: Not Recorded

Depth of Groundwater: Not Encountered

Boring Terminated At: 1.5 Feet

Page 3 of 6

DEPTH	SOIL DESCRIPTION	USCS	LITHOLOGY	SAMPLE	BLOWS/ 12 IN	POCKET PEN, tsf	IN-SITU WATER	IN-SITU DRY DENSITY, pcf	OPTIMUM WATER CONTENT, %	MAXIMUM DRY DENSITY, pcf	EXPANSION INDEX (EI)	ATTERBERG LIMIT (PI)
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[illegible]

BORING LOG

BORING NO. **B-4**

JOB NO. **SL05829-1**

PROJECT INFORMATION

DRILLING INFORMATION

PROJECT: Loomis Barn, Arroyo Grande

DRILLING LOCATION: See Figure 2, Site Plan

DATE DRILLED: September 13, 2006

LOGGED BY: KN

DRILL RIG: Mobile B-24

HOLE DIAMETER: 4 Inches

SAMPLING METHOD: SPT

HOLE ELEVATION: Not Recorded

▼ **Depth of Groundwater: Not Encountered**

Boring Terminated At: 1.5 Feet

Page 4 of 6

DEPTH	SOIL DESCRIPTION	USCS	LITHOLOGY	SAMPLE	BLOWS/ 12 IN	POCKET PEN, tsf	IN-SITU WATER	IN-SITU DRY DENSITY, pcf	OPTIMUM WATER CONTENT, %	MAXIMUM DRY DENSITY, pcf	EXPANSION INDEX (EI)	ATTERBERG LIMIT (PI)
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[illegible]

BORING LOG

BORING NO. **B-5**

JOB NO. **SL05829-1**

PROJECT INFORMATION

DRILLING INFORMATION

PROJECT: Loomis Barn, Arroyo Grande

DRILLING LOCATION: See Figure 2, Site Plan

DATE DRILLED: September 13, 2006

LOGGED BY: KN

DRILL RIG: Mobile B-24

HOLE DIAMETER: 4 Inches

SAMPLING METHOD: SPT

HOLE ELEVATION: Not Recorded

☹ Depth of Groundwater: Not Encountered

Boring Terminated At: 1.5 Feet

Page 5 of 6

[illegible]

[illegible]

RECEIVED
CITY OF ARROYO GRANDE

ATTACHMENT 15
(OF ATTACHMENT 1)

August 2, 2006

06 AUG -2 PM 1:59

City Council
Arroyo Grande City Hall
215 East Branch St
Arroyo Grande, CA 93420

Re: Proposed Creekside Development Plan

Dear City Council:

During the June 14, 2005 meeting of the City Council, Mayor Pro Tem Costello asked questions of City staff regarding the trees along Crown Terrace and Le Point Street that are going to be destroyed as a result of this development. Ms Heffernan's response was that there were "only a few fir trees and no oaks."

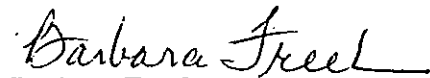
This response was quite surprising since, in reality, there are approximately 60 mature Leyland Cypress along Crown Terrace and Le Point that will be destroyed along with (5) Brisbane Box trees, a very mature Sego palm, an Arroyo Willow, (2) Black Cottonwood trees and a small Coastal Live Oak tree. This is considerably more than "a few."

While I assume that a landscaping plan for the development is in place and is being reviewed by the City, the number of years the proposed landscaping will take to mature will be considerable.

If the proposed 3 story townhouses along Crown Terrace were scaled back to two stories with ingress/egress for them being on Le Point and East Branch Street (rather than Crown Terrace), none of these trees would need to be destroyed. And, the safety concerns of residents backing out onto Crown Terrace would be eliminated.

Thank you for your consideration of these points.

Sincerely,



Barbara Freel
502 Le Point St
Arroyo Grande, CA 93420



CHAMELEON

Fabrics, Furniture & Design
415 E. Branch St.

Arroyo Grande, CA 93420

Tel: (805) 481-4104 Fax: (805) 481-4105

RECEIVED

AUG 01 2006

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

August 1, 2006

City of Arroyo Grande

Council Members & Staff

RE: Creekside Project at 415 E. Branch St.

General Concerns about the entire project – **Is this the right Fit for the Village??**

Dear Council Members and City Staff:

We understand that this property someday will be developed. However once again, the same old plans are submitted by the developer. Yes, some of the adjustments have been made in response to the Planning Commission's recommendations. However, the resounding issues, concerns and vision for the village that were expressed by the community, the Planning Commission and even City Council Members last June, were ignored. **Please do not rush to approve a project that is still not designed with the best interests of the community, commerce or historical significance of this priceless last stand for the "Historical Village of Arroyo Grande".**

In short, this project, though impressive, is not right for this piece of property to be developed in the Village Commercial Core area for the following reasons:

Concern	Description	Solution
Density of the homes	We cannot require state mandated quotas for housing developments to be forced on the part of the city where there is already overburdened traffic concerns, small streets, dead-end streets, blocked off streets – basically no logical traffic flow.	<ul style="list-style-type: none"> • Reduce the number of housing units • Add another commercial building • Increase parking area
Traffic Flow	In the event of an emergency (fire, earthquake, Lopez Dam etc.) 24 units with 2 cars each (48) would still converge at 415 E. Branch along with all residents of Crown Hill – not acceptable	Consider opening Le Pointe Bridge as an enhancement for the traffic flow in the future but plan for it now.
Commercial Structure	The structure next to the Barn will tower over the barn – completely hide the green Victorian Home on Crown Terrace	Reduce structure to 2 floors
View shed destroyed	Creating these driveways on Le Point are ridiculous from a traffic point of view but will also remove all the	Keep only the one parking garage driveway exiting on Crown Terrace. Keep trees on Le Pointe and Crown Terrace to hide "yucky" (for lack of a better word) apartment building.
Architectural Styling For Commercial Structure	The current proposed commercial building looks lack-luster, mundane and cheap and does not enhance the commercial aspect of the project***	Refer to the new JJ's Market commercial complex on the Mesa. It looks like an old western town that has always been there!

Sincerely,

Camay Arad
Camay Arad - Chameleon



CHAMELEON

Fabrics, Furniture & Design

415 E. Branch St.

Arroyo Grande, CA 93420

Tel: (805) 481-4104 Fax: (805) 481-4105

August 1, 2006

City of Arroyo Grande
Council Members & Staff

RE: Creekside Project at 415 E. Branch St.
Business Preservation Concerns

Dear Council Members and City Staff:

As the above mentioned project comes up again for review "Chameleon" wants to express the following concerns to both the City Council and Staff regarding the actual construction and implementation details.

Driveway Access to Chameleon

We request that the City ensure in writing the condition with the developer that this primary access to the property remain open and accessible for business traffic, parking, deliveries etc., with no disruption to business during the entire construction process. We will do everything possible to work with the developers to make this achievable.

Dust Control

A dust control program during construction must be ensured on the site. This is for the safety of the customers and the tenants. Because of ventilation circumstances at the barn and the existence of only two doors on the north-east side of the building where most of the construction will occur, it is imperative especially during dry weather that the area be watered down at regular intervals during the day to prevent dust and keep excessive dirt off the driveway.

Waterline Crossing

We have been informed by the Building Department that it is the Developer's responsibility to ensure uninterrupted water service to 415 E. Branch ("The Barn"). The waterline which existed before the property was sub-divided, crosses the developer's parcel and will require possible re-routing or relocating to ensure continuous service. Again, Chameleon will do whatever necessary to provide the developer with hours and/ or a schedule that the water service will not interrupt business.

Thank you so much for your consideration.

Sincerely,

Camay Arad and Winton E. Tullis
Chameleon

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AUG 01 2006

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

Arroyo Grande Planning Commission
214 E. Branch St.
Arroyo Grande, CA 93420

March 7, 2005

Members of the ~~Planning Commission~~

CITY COUNCIL

This letter is in reference to the project proposed for the Loomis property. My main concern is safety along Crown Terrace.

I live on May Street with my wife and two young daughters, and we walk along Crown Terrace at least twice a day on our way to and from downtown. As such, we are very familiar with how narrow that street is, and how dangerous it can be. The combination of more traffic and the proposed driveways entering onto Crown Terrace is a recipe for disaster. The road is very narrow (27 feet according to a neighbor) and has a blind corner onto Lepoint around which cars often travel at very high speed. With cars backing out onto Crown Terrace, it is only a matter of time before there is an accident.

It seems like it would be far safer to route the exits from the homes either onto Branch Street as is currently the case, or else onto lower Lepoint. Regardless of what happens, if this project is approved the city should require that the developer either put a sidewalk along Crown Terrace, or else provide a route through the development that residents on LePoint and May Street can use to safely avoid Crown Terrace.

We are also concerned about light pollution. If this project is to be mixed use, we hope that the businesses will be required to consider the residential areas nearby and install low intensity lighting.

Thank you for taking the time to read these comments.

Sincerely,



Derek Mitchem and family
513 May Street
Arroyo Grande
473-8719

RECEIVED

MAR 08 2005

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

March 3 - 05

Re: Creekside Center Development

To: ~~Planning Commission~~

CITY COUNCIL

We are very concerned about the development of this property.

1=Too big for our Village.

2=Traffic, Extremely dangerous, even under current Conditions.

3=Will ruin our street with more noise, traffic, and trying to get onto the street.

Sincerely,

Hande o James Sullivan
515 LePoint
Arroyo Grande Ca.
93420-2827

RECEIVED

MAR 11 3 2005

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

March 8, 2005

To: **PLANNING COMMISSION**

From: Le Point Committee

Subject: Update on proposed Creekside (Loomis) project

Attached is a copy of official record from the County of San Luis Obispo showing legal subdivision for the subject project site, that is in effect as of today. The proposed site consists of 5 parcels, and based on records, all owned by DB&M properties, LLC. Note that the dashed lines within the parcel are primarily land locked blocks and can not be developed without access. However, the 5 parcels appear to have access as follows:

- ☐ Parcel No. 11 has access from E. Branch
- ☐ Parcel No. 12 has access from E. Branch
- ☐ Parcel No. 1 has access from Crown Hill
- ☐ Parcel No. 3 has access from E. Branch
- ☐ Parcel No. 13 including all of its imaginary lots, also appears to be land locked because of environmental issues at Tally Ho, and dead end of Le Point. However, since all parcels are owned by same entity, access may be possible through parcels 11 and 12 leading to E. Branch, of course subject to City approval.

In brief it appears that the entire property has no right nor feasible access to Le Point or Crown Terrace. Their proposal, as it is submitted to the City, seems far beyond the capacity of the site. Furthermore, the proposed plan seems to overlook available access points that would warrant a much smaller scale project, but pursue access from where it does not belong.

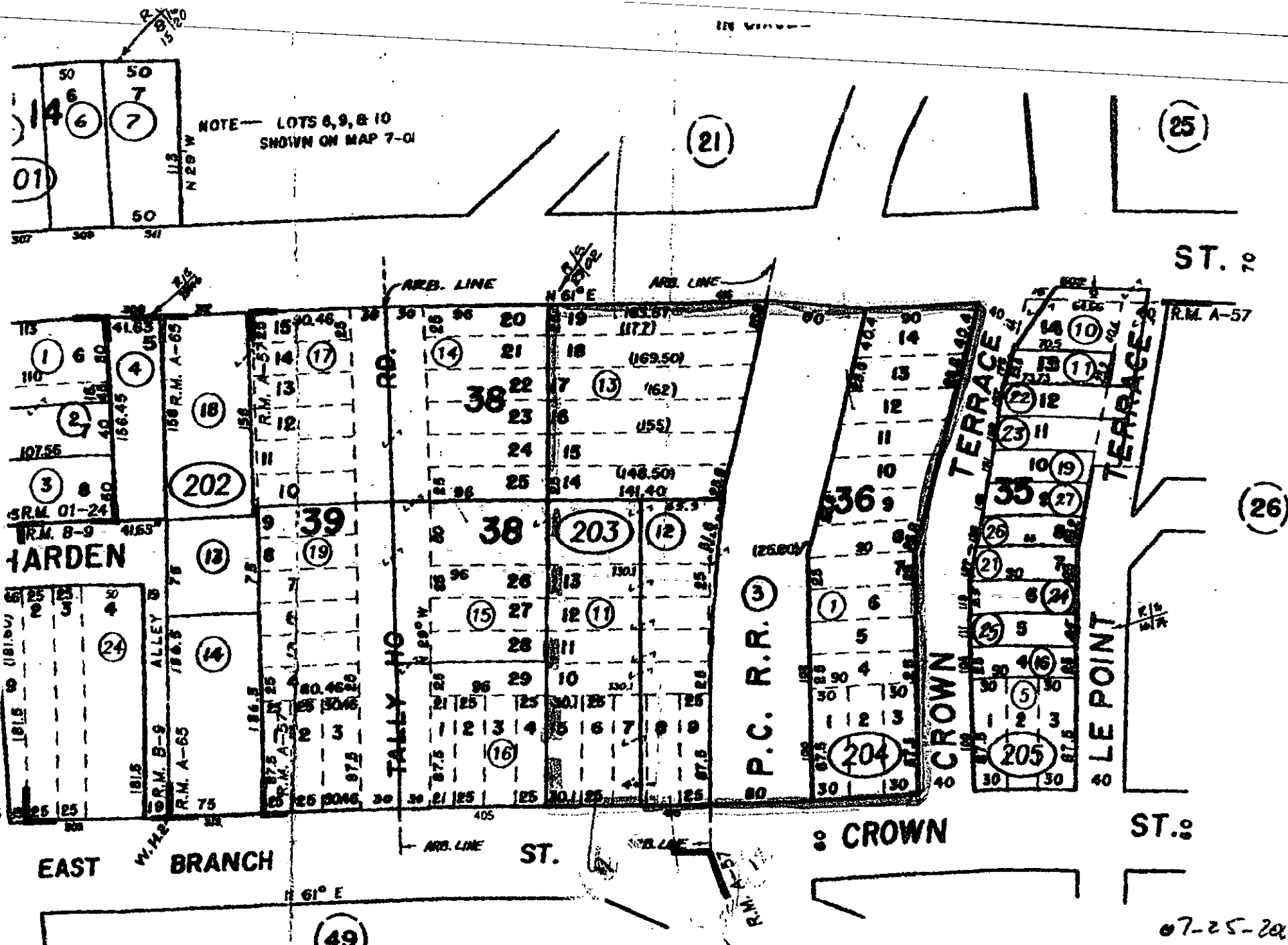
Submitted by

Spokesperson for
Le Point Committee

Attachment: As noted

XC: CITY COUNCIL 1 AUG 16

RECEIVED
AUG 16 2006
CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT



200

SWALL'S RESUBDIVISION, R.M. Bk. 1 , Pg. 24
HARDEN'S TRACT, R.M. Bk. B , Pg. 09
RANCHO CORRAL DE PIEDRA, PISMO & BOLSA DE CHEMISAL, R.M. Bk. A , Pg. 65

CITY OF ARROYO GRANDE
SAN LUIS OBISPO COUNTY
CALIFORNIA

437 Le Point
Arroyo Grande, Ca
February 14, 2005

CITY COUNCIL

Arroyo Grande ~~Planning Commission~~
214 East Branch Street
Arroyo Grande, CA 93420

RECEIVED

FEB 14 2005

Dear Planning Commissioners:

**CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT**

Concerning the proposed Planned Unit Development Case No. 04-001 (415 East Branch Street):

The proposal has completely ignored the established neighborhood that exists adjacent to the Crown Terrace and Le Point intersection. These people have owned their homes for up to twenty years and more. We appreciate the desirability of "The Village" location, but above that, we have maintained and improved our properties, developed our friendships and enjoy the privileges of living in this lovely area. We have only learned in the last month about this project that has apparently been successfully proceeding through planning stages for years.

This proposal ignores the fact that the streets in and out of this area now carry large trucks, school buses, large numbers of automobiles and considerable pedestrian traffic—culminating at bottlenecks at two streets that intersect Crown Hill-- Crown Terrace and East Branch/ Highway 227. In addition, where Crown Terrace becomes Le Point Street, an extremely dangerous blind curve with absolutely NO traffic control guarantees danger for anyone attempting to enter Le Point Street or Crown Terrace at that point. What consideration does this proposal give to the approximately 24 new household drivers and countless commercial customers who will enter this community at this location?

This proposal is a determined effort by the owner to get his investment out of the red. Understood. However, the location and the plan almost preclude the new owners from becoming a part of the existing community, although the resultant traffic will certainly have to be incorporated somehow. As the owner of the 100- year- old house on Le Point and Crown Terrace, having lived there since 1986, I am resigned to the fact that change is inevitable; but before the city hands the developer the keys, I make the following suggestions:


1. That all improvements on the property under consideration be made ON the property, itself. This should include fire lanes, sidewalks, city services including wiring, cable boxes, meters, etc. Remember the people who have taken pride in improving landscape and those who value peace and privacy and WHO LIVE HERE NOW.
2. That lower Le Point be designated a one-way street for entrance of the residents, and that a one-way exit through the commercial portion of this property be

incorporated at a point other than the location of the Crown Hill/ Branch/227 Highway stop sign that is already bottlenecked at least twice a day for several minutes at a time. The locked gate should not be included.

3. The developer should be mindful that the neighborhood around his proposed development is the selling point. Buyers here will want the same consideration for traffic patterns, safety concerns, housing density and the community ambience, which we who have long lived here expect. Anything less will kill the golden goose for everybody. Signs are that already we may be overwhelming our ability to remain unique among American small towns.

To this developer, and particularly to the city planners, please listen to and consider those who live here NOW. You have only this opportunity to get it right.

Sincerely,


Carol Fulmer

JOHN CLEMO

535 Lepoint St.
Arroyo Grande, CA 93420
jclemo721@aol.com

Phone: (805) 489-2889
Cel: (805) 801-9644

RECEIVED

March 3, 2005

MAR 04 2005

CITY COUNCIL
Arroyo Grande ~~Planning Commission~~
214 E. Branch St.
Arroyo Grande CA 93420

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

To the Planning Commission:

I am a property owner on Lepoint Street, quite near to the area that has been recently tapped for a possible residential/commercial project. I encourage you to look long and hard at this proposal, and to reject it.

To put it simply, I bought this property because of the quiet neighborhood, the low traffic volume, and with the sense that it was one of the finest, safest neighborhoods in the city. So, what I'm objecting to would be the noise of construction, the increased traffic volume in a neighborhood of middle school children and beloved pets, and what I believe to be the overall ugliness of the project in question.

Finally, I AM for growth in the city of Arroyo Grande. But I am against growth for it's own sake. When we have enough tenants in the monstrosity currently on the west end of the village (and I do believe that they still have vacancies, even after almost 5 years of existence) then we could actually think about building more commercial properties here. But, until then, please stop.

Thank you for your consideration in this matter.

Sincerely,


John Clemo

NOTE

SIGNATURES ON BACK

February 11, 2005

June 306

Community Development Dept.
Planning Commission
214 East Branch St.
Arroyo Grande, Ca 93420

To City Council

Dear Commissioners,

My husband and I have lived at the corner of Le Point and Crown Terrace for 2 1/2 years. This has been a quiet lovely neighborhood except for the speeding short-cut traffic using Crown Terrace and Le Point St., There is a blind spot at the corner of Le point and Crown Terrace when traveling from Branch St. The proposal to permit access to Le Point St. from the Loomis area will definitely cause additional traffic at that intersection. The cars travel too fast, there is no traffic control and the traffic study done last year was inconclusive. It is a very dangerous situation in just attempting to back your car out of our driveway. There are many neighborhood children who ride bikes and skateboard at this said intersection. There are also many senior citizens and disabled persons frequenting this intersection with some using walkers and wheel chairs. Of course they move very cautiously and slowly. They also complain of difficulty backing out of their driveway due to speeding traffic. There are also a number of children from Paulding Jr. High School who walk by this same intersection morning and afternoon due to the closure of Crown Hill as it meets Hwy. 227.

In light of the above I feel it is not safe to add additional traffic and potential problems to this intersection. The Planned Unit Development Case No 04-001 would create more traffic and congestion. The side walks planned for Crown Terrace, (24 ft wide) is definitely not safe for pedestrians or school children.

The January 18, 2005 meeting was to start at 7:00pm as posted on the fence in front of Loomis property. This was inaccurate as it started at 6:00pm. Some of the neighbors missed the meeting due to this error. I am also concerned that so much planning has been done without the neighborhood's awareness.

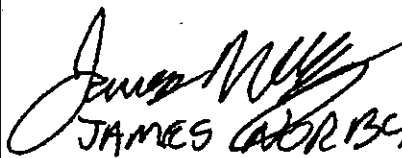
Please note the Signatures of the neighbors on the back of this letter who agree with these comments and disapprove access to Le Point of this project.

Sincerely,

Anne Balgeman
Anne Balgeman
505 Le Point St.
Arroyo Grande, Ca.
93420

RECEIVED
AUG 02 2006
CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

The undersigned agree with comments of this letter which object to access to Le Point Street from the Loomis property development.

 419 Le Point
JAMES MORRIS

Danielle M. Harner

Rae E Wood 502 May St
Karen Wood
Don Wood

Dan Rose 508 May St
David Rose 481-9190

Kami Griffin 514 MAY ST
A.G.
KAMI GRIFFIN

Colleen Skelly 513 May Street A.G.
Vicki Holton 520 May Street A.G.

TO: CITY COUNCIL MEMBERS

My husband and I have lived at the corner of Le Point and Crown Terrace for 2 1/2 years. This has been a quiet lovely neighborhood except for the speeding short-cut traffic using Crown Terrace and Le Point St., There is a blind spot at the corner of Le point and Crown Terrace when traveling from Branch St. The proposal to permit access to Le Point St. from the Loomis area will definitely cause additional traffic at that intersection. The cars travel too fast, there is no traffic control and the traffic study done last year was inconclusive. It is a very dangerous situation in just attempting to back your car out of our driveway. There are many neighborhood children who ride bikes and skateboard at this said intersection. There are also many senior citizens and disabled persons frequenting this intersection with some using walkers and wheel chairs. Of course they move very cautiously and slowly. They also complain of difficulty backing out of their driveway due to speeding traffic. There are also a number of children from Paulding Jr. High School who walk by this same intersection morning and afternoon due to the closure of Crown Hill as it meets Hwy. 227.

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PAGE 2

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Sincerely,

Anne Balgeman
Anne Balgeman
505 Le Point St.
Arroyo Grande, Ca.
93420

RECEIVED
AUG 02 2006
CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

The undersigned agree with comments of this letter which object to access to Le Point Street from the Loomis property development.

JACKLIN PONTARELLI (481-6517)
508 LE POINT
A.C. 93420

VINNIE PONTARELLI 481-9292
MARJORIE L. SMITH
512 LE POINT ST
A.C. 93420

Maymie J. Smith
Charles & Lucille
574 Le Point
AZ 489-5073

Garry & Natalie Cross
531 Le Point
Arroyo Grande, CA 93420

Patti & John Clemo 489-2889
535 Le Point
Arroyo Grande CA 93420

Gertrude McMei
204 McKinley
QA 481-8997

David Silva & Joie 481-9289
551 Le Point
Arroyo Grande CA 93420

Carl and Marlene Ingels
559 Le Point St.
Arroyo Grande, CA 93420

Kate & Mike Scott
380 Le Point Str.
474-6498

NOTE: SIGNATURES ON BACK

February 11, 2005

Community Development Dept.
Planning Commission
214 East Branch St.
Arroyo Grande, Ca 93420

JUNE 3, 05

To City Council

Dear Commissioners,


My husband and I have lived at the corner of Le Point and Crown Terrace for 2 1/2 years. This has been a quiet lovely neighborhood except for the speeding short-cut traffic using Crown Terrace and Le Point St., There is a blind spot at the corner of Le point and Crown Terrace when traveling from Branch St. The proposal to permit access to Le Point St. from the Loomis area will definitely cause additional traffic at that intersection. The cars travel too fast, there is no traffic control and the traffic study done last year was inconclusive. It is a very dangerous situation in just attempting to back your car out of our driveway. There are many neighborhood children who ride bikes and skateboard at this said intersection. There are also many senior citizens and disabled persons frequenting this intersection with some using walkers and wheel chairs. Of course they move very cautiously and slowly. They also complain of difficulty backing out of their driveway due to speeding traffic. There are also a number of children from Paulding Jr. High School who walk by this same intersection morning and afternoon due to the closure of Crown Hill as it meets Hwy. 227.

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Sincerely,


Anne Balgeman
505 Le Point St.
Arroyo Grande, Ca.
93420

RECEIVED
AUG 02 2006
CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

Alci

593 Le Point 489-2556

The undersigned agree with comments of this letter which object to access to Le Point Street from the Loomis property development.

Arthur N. and Jane Jalgadillo
210 Crown Terrace
Arroyo Grande, CA. 93420

SANDRA + PAUL FISCHBEIN
216 CROWN TERRACE
AG, CA 93420

Carol Sulmer
431 Le Point
Arroyo Grande, CA 93420

Shanda & James Sullivan
515 Le Point
Arroyo Grande Ca 93420
489 9742

Jack & Sandy English
521 LEPOINT ST.
Arroyo Grande, Ca.
93420

Barbara Freel
502 Le Point St.
A.G. 93420

Linda Wald
211 Crown Ter.
Arroyo Grande CA 93420

Shirley Evans
525 Le Point St.

Emmanuel Finage

474-1233
624 LE POINT

William J. Molte
524 LE POINT
481-4724

CITY COUNCIL
~~PLANNING COMMISSION~~

I live right behind the former Loomis property, so I will feel the impact of any project the deepest. Of course I would like the smallest impact on the neighborhood as possible. However, the size and nature of the proposed plan is way out of scale. There are too many driveways and not enough thought about safety issues. Namely, kids going to and from school.

Even as it is, I have to be very careful entering the intersection. Drivers speed around the hairpin turn at Le Point and Crown Terrace. There is no place for people to walk safely and this proposal will make it a certainty that someone will be maimed or killed.

The plan needs to be changed to something that fits the neighborhood!

When I bought my home, I was told something like a permanent farmers market was being considered. That would be perfect, maybe impractical, but would still be worth moving toward.

The plans I saw call for Pasadena style condos to tower over the street. I have lived in Pasadena and that style has come to fit there, but would look ridiculous here.

Please save our neighborhood!

THANK YOU;



James Norby
419 Le Point

RECEIVED

MAR 03 2005

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

RECEIVED

FEB 28 2005

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

Arroyo Grande Planning Commission
Arroyo Grande, CA

CITY COUNCIL

February 14, 2005

Dear Commissioners,

As a resident of Arroyo Grande, I have enjoyed the charm and convenience of the village for many years. One of the main attractions of the area is ability to get to know the merchants and have a personal relationship with them which is so unusual in this modern world. Also as a horse owner it was my pleasure to shop at the old Loomis barn for hay, feed and pick up local eggs and that delicious ollalie berry jam for myself.

Yes, I am reminiscing, however; I do have a deep concern for the future of our village. I would hate to see another contemporary designed stucco building built adjacent to the Loomis barn. I have certainly no objection to the rights of the current owner to make use of the property, but please, let's be particularly careful to preserve the unique character of the area and insure its development is consistent with the rest of our village.

Ronald E. Lineman

Joyce C. Zager

[Signature]

Barnes R. Northcott

Elaine G. Northcott

Tom W. Campbell

Elizabeth M. Wachenheim

Scott L. Wachenheim

David J. Jantz

Diana J. Jantz

Ronald E. Lineman

Sincerely,

Linda Rawlings

Linda Rawlings and Friends

Charlotte Wilson

Ray M. Rawley

[Signature]

Candice A. Duffy

Shirley Langston

Tish Joomey

[Signature]

Barbara Oleson

25 April, 2005

Dear Mayor and Council Members,

Our neighborhood (Crown Terrace/Le Point St.) has been concerned about the Loomis Development project and we strongly object to the many (twelve) entrances and back-out traffic from this development. This will add traffic to the already overloaded traffic on Crown Terrace/Le Point roadways as a cut-off route from one area of Hwy 227 (in front of the Loomis store) and the other entrance to Hwy227 (western end of Le Point St.).

We are very concerned about the cut-off traffic. Recently, we learned a traffic measurement was made of the number of cars using Crown Terrace and Le Point St as a cut-off for another project. The information suggested this measurement was made during 2003.

A recent SANDAG traffic study of the Loomis Development Project did not consider the cut-off traffic in their analysis.

Some of my neighbors have indicated some reluctance of the city to give them the results of the traffic measurements on Crown Terrace/Le Point. Please arrange for the results of this traffic study on Crown Terrace/Le Point St. be made available to us. This will be shared with others on Le Point Street concerned about the cut-off traffic and the added traffic due to the Loomis Property Development.

Yours truly,



Earle Balgeman
505 Le Point St.
Arroyo Grande, Ca 93420

489-9433

RECEIVED
AUG 02 2006
CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

29 March, 2005

Community Development Department
~~Planning Commission~~
214 East Branch Street
Arroyo Grande, CA 93420

CITY COUNCIL

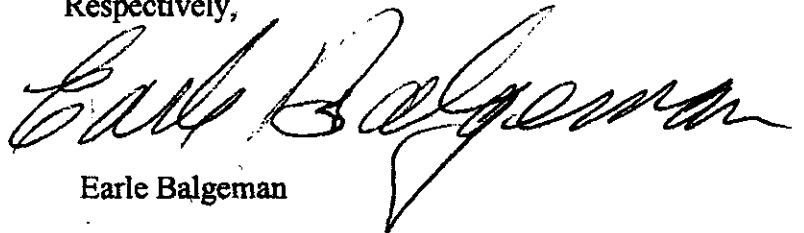
RECEIVED
AUG 02 2006
CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

Dear Commissioners,

After a number of discussions with neighbors in the area, the style of the buildings of the current plans for the Loomis Development are not suitable for the desired motif of our Village. The style of the buildings both residential and commercial should be more compatible with the style of the Loomis house and barn and other buildings along the Village main street. It is very easy to identify the buildings which have been built in recent years and are not compatible with the majority of the Village architecture.

Also, the project is described as being zoned a mixed-use development. The project is divided into two areas. A commercial area and a residential area. It is not a mixed commercial/residential area.

Respectively,



Earle Balgeman

505 Le point St.
Arroyo Grande, CA 93420

Community Development Department
~~Planning Commission~~
214 East Branch Street
Arroyo Grande, CA 93420

CITY COUNCIL

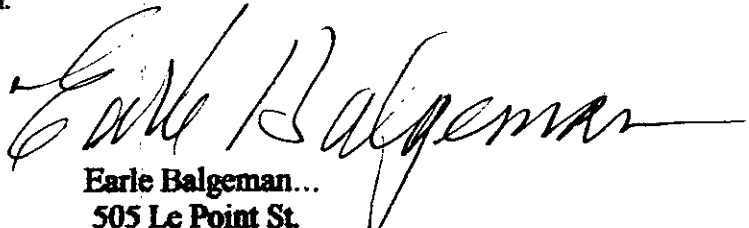
Dear Commissioners,

This is written to strongly object to the exit of Planned Unit Development Case No. 04-001 (415 East Branch Street) onto Le Point Street. Le Point Street currently carries too much speeding traffic due to the use of that street as a short-cut between 2 locations of Hwy 227 as it circles Crown Hill.

The improvement of Le Point St. (North of Development) to a 40 ft. width and sidewalk will encroach on the home owners lawns. The home owners are very concerned about the changes in Le Point St. due to the access from the development. Many have only recently been informed of the access of the development to Le Point St.

Pedestrian access to the property from Crown Terrace should be denied due to the narrow width (24 ft.) of that street. Possibly the pedestrian access from Crown Terrace is for school children leaving and returning to the property. This is an unsafe choice.

The development of the Loomis property should only consider access from Crown Hill street or East Branch Street and not include a gate to separate the commercial and residential portions. The access to the Loomis property from Crown Hill Street or East Branch Street was satisfactory for 95 years and there is no good reason to alter that and many reasons to not grant access to Le Point Street and improve that portion of Le Point Street. Thank you for your consideration.


Earle Balgeman...
505 Le Point St.
Arroyo Grande, CA
93420

RECEIVED
AUG 02 2006
CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

Community Development Department
~~Planning Commission~~
214 East Branch Street
Arroyo Grande, CA 93420

CITY COUNCIL

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Earle Balgeman
Earle Balgeman
505 Le Point St.
Arroyo Grande, CA
93420

RECEIVED
AUG 02 2006
CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

FREE

The

Coastal News

"YOUR HOME TOWN COMMUNITY NEWSPAPER"

VOLUME 1 - NUMBER 20

Serving Avila Beach • Shell Beach • Pismo Beach • Grover Beach • Oceano • Arroyo Grande • Halcyon
FEBRUARY 10 - FEBRUARY 23, 2005

Community Development Department
~~Planning Commission~~
214 East Branch Street
Arroyo Grande, CA 93420

CITY COUNCIL

We Left Something Out

Enjoyed your article on the "Loomis Hearing Postponed". However, you did not mention an issue which is of primary concern to the Le Point Street residents.

This primary issue was discussed at the meeting and considered the access of the project onto the currently unimproved portion of Le Point Street.

This issue is strongly opposed by the residents of LePoint Street. This unimproved portion of Le Point Street will be improved to the 40 ft. width of the current improved portion of Le Point street between Crown Terrace and Hwy 227. This improvement will encroach on the lawns and fence areas of the involved properties and is strongly opposed by those residents.

James Norby's comments in the article seemed to object to development of any kind. I do not think there is an objection to any development of the Loomis property as long as it does not access on Le Point Street.

Le Point Street is a busy street due to the use of the

street as a short-cut between two parts of Hwy 227 which circle the Crown Hill area. About 15 years ago the eastern end of Crown Hill street was blocked to those who used that street as a short-cut and presented a danger to the school area along Crown Hill street. Since then motorists have used Crown Terrace and Le Point street as a short-cut between Hwy 227 in front of the Loomis store and Hwy 227 at the east end of Le Point Street. The corner of Crown Terrace/Le Point Street is a busy and dangerous corner. The city refuses to do a traffic study. Efforts to obtain a stop sign at that intersection to slow the short-cut motorists have been unsuccessful.

Most of this information about the development details has become available to the Le Point Street residents after the 7 January notification of the January 18, 2005 meeting of the Planning Commission.

Thank you for your consideration.

Barla Balgeman
Arroyo Grande

RECEIVED

AUG 02 2006

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

Sheila Taylor
222 Mc Kinley Street - Arroyo Grande CA 93420
Phone: (805) 473-6987

4 March 2005

RECEIVED

Arroyo Grande ~~Planning Commission~~
214 E. Branch Street
Arroyo Grande, CA 93420

CITY COUNCIL

MAR 08 2005

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

Ref: Creekside Center Development

Gentlemen:

My husband and I strongly oppose the development project as proposed. Not only will it increase traffic on both Le Point and Crown Terrace, but having residents backing out of their driveway onto Crown Terrace is dangerous and completely unacceptable. I cannot imagine that your Commission would permit such a plan to go into effect.

Additionally, we feel the aesthetics of the Village should remain intact – especially after seeing what was built at the West end of it – those atrocious, completely out-of-character buildings should never have been allowed.

We ask that you reconsider the project as a whole. Thank you.

Sincerely,

Sheila Taylor

Sheila Taylor

Arroyo Grande Planning Commission
214 E. Branch St.
Arroyo Grande, CA 93420

March 7, 2005

Members of the ~~Planning Commission~~:

CITY COUNCIL

This letter is in reference to the project proposed for the Loomis property. My main concern is safety along Crown Terrace.

I live on May Street with my wife and two young daughters, and we walk along Crown Terrace at least twice a day on our way to and from downtown. As such, we are very familiar with how narrow that street is, and how dangerous it can be. The combination of more traffic and the proposed driveways entering onto Crown Terrace is a recipe for disaster. The road is very narrow (27 feet according to a neighbor) and has a blind corner onto Lepoint around which cars often travel at very high speed. With cars backing out onto Crown Terrace, it is only a matter of time before there is an accident.

It seems like it would be far safer to route the exits from the homes either onto Branch Street as is currently the case, or else onto lower Lepoint. Regardless of what happens, if this project is approved the city should require that the developer either put a sidewalk along Crown Terrace, or else provide a route through the development that residents on LePoint and May Street can use to safely avoid Crown Terrace.

We are also concerned about light pollution. If this project is to be mixed use, we hope that the businesses will be required to consider the residential areas nearby and install low intensity lighting.

Thank you for taking the time to read these comments.

Sincerely,



Derek Mitchem and family
513 May Street
Arroyo Grande
473-8719

RECEIVED

MAR 08 2005

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

RECEIVED CITY OF ARROYO GRANDE

AUG 02 2006

SPEAKER SLIP

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

The Planning Commission and staff appreciate
your participation at this public meeting.

Kelly FYI
(they did not speak
last night)

SPEAKING TO PLANNING COMMISSION

- ▶ Please complete this form if you wish to address the Planning Commission on any subject.
- ▶ If you wish to speak regarding an item NOT on the agenda, your name will be called during the oral communications period.
- ▶ If you wish to speak regarding a Public Hearing or Business item, proceed to the speaker's stand upon recognition from the Planning Commission Chair.

When you step up to the microphone:

- ▶ Please speak directly into the microphone.
- ▶ Please clearly state your name and address for the record.
- ▶ Please limit your remarks to three (3) minutes, unless further time is granted by the Planning Commission Chair.
- ▶ All remarks must be addressed to the Planning Commission as a whole and not to any Member individually.

Meeting Date:

2/15/05

481-6577

Name:

JACKLIN FORTARELLI

Address:

508 LE POINT A.C.

Agenda Item:

WHY COULDN'T WE LEAVE CROWN HILL

(The signing of this slip is voluntary)

OPEN: Except for

PLEASE GIVE THIS SLIP TO THE CLERK.

Twice during from
7:30 - 8:30 AM and 1:30 - 2:30 PM

could have signed stated & a through road

CITY OF ARROYO GRANDE

SPEAKER SLIP

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SPEAKING TO PLANNING COMMISSION

- ▶ Please complete this form if you wish to address the Planning Commission on any subject.
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- ▶ All remarks must be addressed to the Planning Commission as a whole and not to any Member individually.

Meeting Date:

1/15/05

Name:

JACKLIN PONTARELLI

Address:

508 LE POINT A.C.

Agenda Item:

LOOMIS HEARING (POST-ROD)

(The signing of this slip is voluntary)

RE: CORNER CROWN
TERRACE & LE POINT.

PLEASE GIVE THIS SLIP TO THE CLERK.

DEVELOPMENT @
CURRENT RESIDENTIAL DENSITY AS
... TRAFFIC. POST PVT.

Dangerous, Blind Intersections.
Please ✓ # PVT. Road needs.
If not; respect the safety
of we who live at same and
the many short-cutting through.
If you refuse to do New
Traffic Study (not on a holiday
as I have witnessed in past;
safety, consideration for
increased. Population & free
prevention. Demand a stop
sign @ improved section/corner
of Lehigh. It goes up
with any way what at least
seems to beg for it.

~~Frank~~ Vincent Pontarelli
Vincent Pontarelli.

~~bet~~ at the eastern most corner of
Crown hill & McKinley.

ATTACHMENT 17

(OF ATTACHMENT 1)

October 18, 2006

City of Arroyo Grande
214 East Branch Street
Arroyo Grande, Ca

RECEIVED
CITY OF ARROYO GRANDE

06 OCT 19 PM 2:22

Re: CITY COUNCIL HEARING ON REVISED CREEKSIDE PROJECT

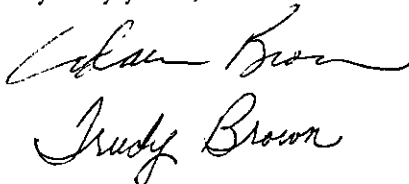
Dear Honorable Council Members:

We are the owners of the warehouse at 415 East Branch Street. We have and currently support the proposed project surrounding our property. DB& M Properties has been trying for a very long time to satisfy the city and we think that they have more than paid their dues in trying to satisfy your requests.

We feel that some of the other neighbors have made too many negative comments and that it is unfair to give them so much sway in the process. It is a good project and will enhance the entire village as well as preserve the barn as you always wanted. We have seen the revised office building architecture and believe that fits very well with the project as a whole.

Further, we would like to emphasize that Ms. Camay Arad and her husband do not represent our views whatsoever and have very often made comments and suggestions for revisions that we completely disagree with. We like the project without any more additional changes. Please put our rights as landowners in perspective as you grant your approval Tuesday night.

Very truly yours,

The block contains two handwritten signatures in cursive. The first signature is 'Adair Brown' and the second is 'Trudy Brown'. Both are written in dark ink.

Adair and Trudy Brown

**Minutes: City Council Meeting
Tuesday, October 24, 2006**

8.h. Consideration of Appropriation of Funds for Startup Costs for East Grand Avenue Business Improvement Association.

[CC/RDA]

Action: The City Council/RDA Board appropriated and authorized the City Manager/Executive Director to expend \$2,000 for startup costs for the formation of an East Grand Avenue Business Improvement Association.

8.i. Consideration of Authorization to Purchase a Self-Priming Pump and Motor for Soto Detention Basin No. 1.

Action: Authorized the purchase of a 50 h.p. self-priming pump, motor and suction hose for Soto Detention Basin No. 1 from Godwin Pumps in the amount of \$23,537.09.

8.j. Consideration of Award of Bid for Contracted Custodial Services – Service Master.

Action: Awarded the bid for contract custodial services to Service Master in the amount of \$3,834 per month and authorized the Mayor to execute the Contractor Services Agreement.

8.k. Consideration of Authorization to Submit a Proposal to the Lucia Mar Unified School District to be a Partner in the "Bright Futures" Program.

Action: Authorized the Director of Parks, Recreation and Facilities to submit a proposal to the Lucia Mar Unified School District to become a partner in the Bright Futures Program.

9. PUBLIC HEARINGS

9.a. Consideration of Vesting Tentative Tract Map Case No. 04-004 and Planned Unit Development Case No. 04-001; Applicant: DB & M Properties, LLC; Location: 415 E. Branch Street (Continued from August 8, 2006).

Community Development Director Strong presented the staff report and recommended the Council consider an addendum to the certified Environmental Impact Report (EIR) and development proposal for a commercial retail, office and residential project located in the Village of Arroyo Grande (Creekside Mixed-Use Center) take tentative action on the project, and direct staff to return with a supporting resolution. He stated that the Planning Commission recommended the City Council adopt a resolution denying the project as presented at the April 2005 Planning Commission meeting. Director Strong responded to questions related to the project proposal, including street and sidewalk modifications; ingress/egress locations; mitigation measures related to trees; drainage; commercial building size and design; parking; and coordination of uses between commercial and residential.

Mayor Ferrara opened the public hearing, inviting the applicant or representative to address the Council first.

Joe Boud, Joseph Boud & Associates, representing the applicant, gave a brief history of the development review process for the project over the past six years. He noted that they had addressed comments made at the last meeting by modifying the commercial building to reduce the bulk and massing; conducting a tree inventory and analysis and determining that two oak trees and one palm were good candidates for relocation, however the remaining trees are either too large, too diseased, or too problematic to transplant; noted that new trees would be planted; agreed to install speed humps on Le Point Street if recommended by the Public Works Department; checked with PG&E and clarified that the City makes the decision on number, type, and location of street lighting and would follow recommendations by Public Works; lighting within the residential component had not been decided but would be pedestrian scale; recognized that

area is in flood zone and the necessary grading required for the project; addressed issue regarding impervious surface and determined that there is 5-12 inches of compacted base that provides a near-perfect impervious surface and detention basins are not recommended in flood zones; researched issue regarding upper floor parking garages; briefly reviewed redesign of project to accommodate every concern that has been expressed, including providing additional traffic analyses; a second access onto Branch Street; an arborist report; the Geotech report; retention of the loading docks at the Barn; retention of the Barn in its entirety; redesign of the commercial building; the street lighting, and the creekside parcel. He responded to questions from Council concerning the left turn pocket, the landscape plan, parking to accommodate the retail portion of the project; the height of the commercial building; clarification of the Agreement between the Browns and DB&M Property which runs with the land; and he read into the record a letter from Adair and Trudy Brown, owners of the warehouse at 415 E. Branch Street, supporting the proposed project surrounding their property (on file in the Administrative Services Department). He concluded by requesting support and approval of the project.

Council asked further questions of Mr. Boud regarding elevations and height of the commercial building; review of the property line; and drainage issues as it relates to the creek.

Mayor Ferrara invited comments from those in the audience who wished to be heard on the matter.

The following members of the public addressed the Council:

Camay Arad, owner of Chameleon Fabrics, Furniture & Design and Allen Street resident, gave a presentation entitled "Village within a Village – Citizens Alternative Plan" which includes the preservation of the Loomis Barn grain mill and the historic Loomis house. She reviewed a checklist of community concerns regarding the proposed project, and suggested specific revisions to the project to address the concerns. She spoke in opposition to the proposed project as submitted; urged the developer to work with the business owners and neighbors; and urged the Council to consider the alternative plan.

Earl Balgeman, Le Point Street, spoke in opposition to the proposed project, specifically the residential driveways on Crown Terrace; garages above living quarters; the proposed residential density (too many units); tree removal; and building style.

Karla Haney, Mesa Alta Lane, spoke in support of the alternative plan presented by Ms. Arad.

Greg Moore, Village business owner, spoke in support of the mixed-use project as proposed.

Bill McCann, Crown Hill, spoke in support of the alternative plan presented by Ms. Arad. He suggested scaling down the massive residential element, adding more retail, and enlarging the parking area.

Roy Rawlings spoke in support of the alternative plan presented by Ms. Arad.

Patty Welsh, Pradera Court, spoke in support of the alternative plan presented by Ms. Arad.

Aleji Davar, Le Point Street, member of the Le Point Street Residents Committee, displayed an exhibit showing the area, expressing concern about the proposed residential driveways on Crown Terrace, potential increased traffic problems associated with the development and its impact on Le Point Street residents.

Jane Line, Pleasant Lane, expressed concern about the lack of retail space; the ability of the proposed project to draw people into town; and spoke in support of the alternative plan presented by Ms. Arad.

Ann Balgeman, Le Point Street, noted her original concerns with safety, traffic, residential density, and multiple driveways on Crown Terrace. She spoke in opposition to the project as proposed.

Winton Tullis, Allen Street, urged the Council to review the alternative plan.

Chuck Fellows, Canyon Way, member of the Planning Commission, noted that in April 2005 the Planning Commission denied the project based on the inability to make three findings. He acknowledged the applicant's changes to the project; however, he felt the project was still not a good fit for the Village. He said the neighbors have expressed concern regarding the three story structures that would include homes with driveways on Crown Terrace; the three-story commercial office building is too large and too tall, and the design and exterior materials are not compatible with the historic barn and two vintage houses. He said there is an opportunity to continue the process of improving this northeast part of the Village, and stated there needs to be a collaborative element to the process to include the developer, the neighbors, and the business owners.

Marina Gordy, Le Point Terrace, expressed concern with the proposed residential driveways on Crown Terrace and increased noise and traffic as a result of the development.

Jacqueline Ponterelli, Le Point Street, member of the Le Point Street Committee, agreed with comments made by Ms. Arad, Mr. Fellows, and Mr. Davar's.

Debbie Swenson, Bee Canyon Road, spoke in support of the alternative plan presented by Ms. Arad.

Gordon Bennett, Allen Street, spoke in support of the alternative plan presented by Ms. Arad.

Lance Tullis, Garden Street, spoke in support of the alternative plan presented by Ms. Arad.

Scott Underwood, May Street, spoke in support of the alternative plan presented by Ms. Arad.

Resident on Le Point Terrace (name not provided), expressed concern about increased traffic on Crown Hill Terrace.

James Murphy, Walnut Street, expressed concern about the area near the creek and stated he hoped the 25-foot setback area would be provided as open space for people to enjoy.

Margie Hurd, Deer Canyon, spoke in support of the alternative plan presented by Ms. Arad.

Howard Mankins, Hillcrest Drive, spoke in support of the project's mixed-use concept; considered this as in-fill development that will upgrade the property; expressed concern about prolonging the project; noted that the applicant has complied with all the conditions; and spoke in support of the proposed project.

Duane DeBlauw, applicant, briefly commented on the square footage of the commercial building. He stated that to look at an alternative to make further reductions to the project and in looking at all of the conditions of approval, he does not see how the project could be economically viable. He also spoke of the additional infrastructure demands placed on the project. He reviewed the history of the project's development review process and said that they have followed all direction with regard to changes and refinement to the project. He stated that being asked to consider a whole new change is extremely difficult if it doesn't increase any economic viability. He requested reasonableness in order to make the project viable, and requested the Council consider their efforts to respond to all concerns expressed. He then responded to concerns regarding the cypress trees along Crown Terrace and suggested that their removal would enhance the safety of the pedestrian walkway; expressed continued confusion about the road width on Crown Terrace and noted that it currently exists with no sidewalks, no shoulder, and is very narrow. He stated the new proposal widens the street and includes a sidewalk, which would create a safer situation. He also noted that many project studies had been done so there is some factual basis for which to make decisions. He requested the Council approve the project.

Joe Boud, Joseph Boud & Associates, noted that they had explored the idea of additional commercial behind the existing Loomis Barn and the residences in lieu of additional residential; however, they were dismissed because to establish commercial development behind the E. Branch frontage without any visual connection, circulation connection, or any adequate vehicular/pedestrian flow is not a feasible plan. He said that is why a mixed-use project was designed to create a transition between residential and commercial uses. He replied to comments regarding garages directly above residences; referred to the arborist report regarding

tree removal; the proposed building style; and noted the severe constraints on the site including the creek setbacks, the steep embankment along Crown Terrace, and the sewer and gas easements that run through the center of the property. He concluded by saying that they have worked with everyone involved to come up with a project that has satisfied all of the concerns expressed.

Upon hearing no further public comments, Mayor Ferrara closed the public hearing.

Mayor Ferrara called for a break at 9:30 p.m. The Council reconvened at 9:40 p.m.

At the request of Mr. DeBlauw, Mayor Ferrara invited the applicants to address the Council and provide final comments.

Richard DeBlauw, applicant, asked Council to make a decision tonight on the proposed project as submitted.

Jim Matthews, DB&M Builders, stated that they have exhausted funding, have complied with all suggestions made, and stated they would be unable to continue with the project if it is not approved tonight.

Council Member Dickens provided the following comments:

- Addressed City's development review process; noted that Council had only seen this project three times this year in June, August, and October;
- Noted that the Planning Commission recommended denial of the project in April 2005 and the applicant decided to address the issues and make revisions instead of bringing it directly to the Council at that time;
- Acknowledged pre-existing assets on the site including historic resources (structures); creekside access; proximity to the Village and potential for a Village extension; close proximity to residential and pedestrian access which calls for increased retail;
- Is proponent for more retail commercial in this area, less high density residential;
- Does not support land use conflicts between residential and commercial;
- Expressed concern with design; is too contemporary and too residential in nature;
- Crown Terrace is too narrow for the increased use proposed; site has not had historic access to Crown Terrace; improvements will not mitigate the increased impacts;
- The proposal does not compliment the valued historic structures on the site and dominates and detracts from the historic Village;
- The barn need to be the cornerstone and focal point in size and scale;
- There are few to no elements proposed which extend the Village charm and draw pedestrians to this area;
- Cannot support the project as proposed.

Council Member Costello provided the following comments:

- Thanked everyone who addressed the Council; thanked the applicant for addressing many of the previously identified concerns;
- Clarified that the Council was not choosing between the applicant's proposal and an alternative proposal; the Council was here to consider the applicant's proposal only;
- Acknowledged that a mixed use project was desired on the site;
- The size of the commercial building is still too large and it dominates the barn;
- There are traffic circulation issues; there should not be residential driveways on Crown Terrace;

- Expressed concern with traffic coming out of the project between the barn and the commercial building and trying to turn left to go up Crown Hill;
- Cannot support proposed project based on the circulation problems; the impact of taking out 70 trees; and the mass and scale of the commercial building.

Council Member Arnold provided the following comments:

- Expressed concern about the size and scale of the commercial building;
- Expressed concern about traffic circulation on Crown Terrace;
- Parking garage may be appropriate in that it may be a limited in and out access and potentially controlled with a gate for employees only;
- There are too many driveways on Crown Terrace;
- Expressed concern with the historical setting and removing a portion of Hildy's house and destroying a large portion of the existing garden;
- Recommended denying without prejudice so the applicant can come back with modifications.

Mayor Pro Tem Guthrie provided the following comments:

- Acknowledged the Council was not reviewing the alternative plan tonight;
- Stated that the overall intensity of use in an all commercial project versus a mixed use project is much higher;
- Supports a mixed use project; clear enhancement to the Village; could be better mix of residential and commercial;
- The historical buildings provide some constraints for development on the site;
- The connection of the project to the Village depends on future development on the adjacent properties and whether there will be continuous link to retail uses;
- Wish there was a connection through the creek all the way from the back side of the property;
- With regard to tree removal, the purpose of the existing trees was to visually hide an industrial use; ok with removing;
- Acknowledged there may be problems backing out onto Crown Terrace; however, the overall traffic improvement would be a plus;
- Sidewalk would improve pedestrian safety; street would be a little bit wider; traffic study showed traffic counts not high;
- With regard to the scale of the commercial building, the height of the peak is 33' which is only 1 foot taller than the barn; agrees it is large; however, does not believe it will overpower the barn;
- Supports moving forward with the project as proposed.

Mayor Ferrara provided the following comments:

- Expressed concern with the size, scale and intensity of the commercial building and its mass and height in relation to the barn;
- Expressed concern with the proposed architectural style and the lack of a color rendering or color board;
- Prefers that the commercial building be reduced or divided or designed more in scale with the other buildings;
- Comfortable with applicant's proposal with regard to drainage and the creek;
- Important to link the project design with potential development on adjacent properties;
- Supports mixed use project concept; housing would be asset to City which would enhance pedestrian access to the Village; would not support reducing the housing complement;

- The trees need to be better maintained; referred to arborist report; is comfortable with landscape plan;
- Would support the project if the driveways on Crown Terrace were removed and if the backyard and garden of Hildy's House were not impacted;
- Suggested breaking up the commercial building to soften the mass.

Council Member Costello moved to take tentative action to deny the project, without prejudice, and direct staff to return at a subsequent meeting with a supporting resolution. Council Member Dickens seconded, and the motion passed on the following roll-call vote:

AYES: Costello, Dickens, Arnold, Ferrara
NOES: Guthrie
ABSENT: None

9.b. Consideration of Amended Conditional Use Permit Case No. 06-002; Hampton Inn and Suites Hotel Project Located at 1400 W. Branch Street

Community Development Director Strong presented the staff report and recommended the Council: 1) Adopt a Resolution approving Amended Conditional Use Permit Case No. 06-002 modifying condition of approval number 23 for the Hampton Inn and Suites Hotel, including relocation of one additional existing mature oak and an amended landscape plan.

City Manager Adams gave an overview of staff's recommendation regarding approval of a proposed revenue sharing agreement to provide a reimbursement of \$250,000 over a five-year period in transient occupancy tax revenue generated from the project. He introduced Tim Mulrenan, the City's Redevelopment Agency consultant, who reviewed financial projections provided by the applicant. City Manager Adams recommended that the Council take tentative action to approve the Agreement and direct staff to bring back a final Agreement for formal approval. Staff then responded to questions from Council regarding the landscape plan as it relates to tree removal, relocation, and replacement.

Mayor Ferrara opened the public hearing, inviting the applicant or representative to address the Council first.

Bob Tuttle, architect, noted that the original tree location survey was not accurate and the three big trees in front of the hotel were located much closer to the slope and it became necessary to shift the building. He explained that extensive retaining walls were then required which significantly increased the cost of the project. He reviewed entrance modifications to the project as well as the modified landscape plan to relocate certain trees on the site.

Gary White, applicant/owner, stated he worked on the tree relocation issues and the redesign of the hotel entrance and requested direction from the Council on relocating or replacing tree #9. He commented on and provided suggestions for relocating and replacing certain trees on the site, and responded to questions from Council.

Rob McMillan, development partner for American Property Management Corporation (financing partner and operating partner of the property and the franchisee with Hilton Hotels), spoke in support of the modified landscape plan and the transient occupancy tax rebate program.



June 25, 2007

Creekside Village

To: City of Arroyo Grande
Community Development Department

From: MW Architecture Inc.

Subject: Creekside Center
Vesting Tentative Tract map 04-004 and
Planned Unit Development No. 04-001

The following is a summary of changes made to the proposed project since the last City Council hearing on October 24, 2006:

1. REVISED OFFICE / RETAIL STRUCTURE AT CORNER OF CROWN HILL AND CROWN TERRACE

- a. The building has been completely revised to better represent the existing agrarian architecture of the feed store.
- b. Scale and massing changed to reduce scale of structure at the corner of Crown Hill, covered open parking lot.

2. REVISED RESIDENCES FOR THE EIGHT UNITS ALONG CROWN TERRACE (RESIDENTIAL 'A' LOTS 1,3,5,7)

- a. Driveways no longer tie into Crown Terrace. Access to Homes is from internal circulation.
- b. Revised to detached single family vs. duplex's
- c. Architecture modified to reflect historic residential similar to Village Residential.

3. REVISED CIVIL SHEETS TO REFLECT THE ABOVE CHANGES

- a. Vesting Tentative Map lot lines added on Lot 9 to create eight individual Lots 9 through 16.
- b. Easement Plan showing new lots and building footprints on Lots 9-16.
- c. Preliminary Grading Plan showing lots 9-16 new footprints and revised grades for such.
- d. Flood Sections revised to reflect Lots 9-16 new footprints and revised grades for such

4. REVISED LANDSCAPE PLAN / SITE PLAN

- a. Retention of Historic Hildy House.
- b. Removal of shed structure from back of Hildy House.

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- c. Addition of landscaped planter area in place of removed shed. Planter to incorporate recycled stone wall.
- d. Addition of Pedestrian Park access pathway by new live / work buildings (Residential 'B' lots 7, 8).
- e. Additional landscaping along Crown Terrace.

5. REVISED RESIDENTIAL PLAN 'B' LOTS 7 AND 8. FROM SINGLE FAMILY TO MIXED USE.

- a. Revised floor plans to reflect commercial space oriented to parking lot. Residential orients to interior private street.
- b. Added public access to west of lot 7 for public creek access.
- c. Added 4 additional parking spaces.

6. ADDED 6 ADDITIONAL PARKING SPACES ON ADJACENT PARCEL PER AGREEMENT W / OWNER.

the foregoing Resolution was adopted this 4th day of September, 2007.

7:00 p.m.

The Commission took a 10-minute break.

D. PLANNED UNIT DEVELOPMENT CASE NO. 04-001 & VESTING TENTATIVE TRACT MAP CASE NO. 04-004; APPLICANT – D. B. & M. PROPERTIES, LLC; LOCATION – 415 E. BRANCH STREET: *Continued from August 21, 2007 meeting*

Associate Planner, Kelly Heffernon, presented the proposal for a commercial retail, office and residential development giving a brief history of the project. Ms. Heffernon stated that in October, 2006 the City Council denied the project without prejudice and an addendum was made to the EIR for the project outlining required changes. Parking is considered adequate for a mixed-use project. The project was continued from the August 21, 2007 Planning Commission meeting to address flood plain elevations. In conclusion, Ms. Heffernon stated that staff recommends that the Planning Commission consider an addendum to the certified EIR and adopt a Resolution recommending approval of the project to the City Council. A Conditions of Approval should be amended to include an "all-way stop" at the corner of LePoint Street and Crown Terrace for safety reasons; and Condition #8 be deleted, since the gate between the commercial and residential uses is no longer required.

Mike Peachy, architect for the project, gave a very detailed presentation using a three dimensional model of the redesigned proposal and addressing concerns expressed by the City Council at their October 2006, meeting and also addressing the concerns of the neighbors.

The Commission had questions for Mr. Peachy, the applicant, and staff:

Commissioner Marshall explained that due to the fact he had not been involved in previous considerations of this project he had a number of concerns.

- Are the elevation figures correct, especially with respect to the flood elevations? *Mr. Spagnolo: The existing flood elevations look fairly accurate.*
- Regarding the proposed Resolution, Page 5, Condition #10, the storage cabinets need to be elevated; Page 6, Condition #23, regarding root barriers to protect sidewalks, suggest that it should be changed to state "all sidewalks" within the public right of way; Page 9, Condition #46, regarding extending the installation of Village style streetlights along Crown Hill, Crown Terrace, and LePoint Street, this seems unnecessary and conflicting with the environmental review (should be low profile lighting). *Ms. Heffernon: There is no problem with limiting the lighting to Crown Hill (there should be some lighting to provide a safe route to walk downtown at night; Page 10, Condition #8, in respect to improving LePoint Street, this should be modified to reflect a shorter and narrower street? Mr. Spagnolo: This is a standard condition, but it will probably work out to be a standard half width road.*
- As recommended in the Village Design Standards, will exposed aggregate be used in the sidewalk? *Mr. Spagnolo: This style would only be used on E. Branch Street – not continued around the corner.*

- Condition #51: Where will pedestrian ramps be installed? *Mr. Spagnolo: The ones adjacent to the project will be constructed with the project; the one mentioned in this condition is across the street and included as a separate issue.*
- Condition #54: This should be revised to include installation of an "all-way" stop sign.
- Have all the concerns discussed at the City Council meeting in October 2006, been addressed in the new design? *Mr. Spagnolo: He though they had been; the turn pocket for the entry on Crown Hill is still incorporated; speed bumps were included as an option for traffic calming, however, installation of the stop sign should address this concern; a request from the business owner of "Chameleon" asking for assurance that access to their business would remain open during construction will be adhered to; however, advised that a condition be included to make sure this was addressed.*
- Mitigation Monitoring (MM), Page 18, 4.4.3, regarding the rail bed. *Ms. Heffernon: The rails are proposed to be installed in the landscaped area (for historic reasons) and also a plaque. Ms. Barneich: Debbie Black (landscape architect) had explained to her that the rails will have gravel around them to deter growth over them and there is a plan to have a plaque near the front of the building towards the plaza which will explain what used to be there.*
- Page 6, Condition No 17, is it typical to require the project to go back to both the Planning Commission and the ARC? *Ms. Heffernon: Only if the Planning Commission feels it is necessary.*
- Page 6, Condition #21, the wording re CC&R's should be corrected to state "prior to recording the final map" rather than "prior to final occupancy".

Tait:

- Are any green building techniques being considered? *Mr. Peachy: They can certainly integrate them on this project and that they are already using these techniques on many projects now.*
- Do the garage doors need flood proofing? *Mr. Peachy: In a flood event they will keep out large items, but not flood waters; however, raising the storage units is a good idea; the buildings have been designed with the raised portion not to displace, but to allow water to flow through.*
- Regarding bioswales and the fact that getting water offsite quickly is a priority, there will need to be a very good filter to allow this. *Mr. DeBlauw: They are open to biofilters, but the water in this area may not give good percolation and may slow down the movement of water off-site. The best approach is to get the water into the creek while being sensitive to the bioswale.*
- It looks as if there are only two bike racks. *Mr. Peachy: He was not aware of this, but more bike racks could easily be added.*
- If the pedestrian path is concrete or a sealed DG why not have something permeable being as it is so close to the creek? *Mr. Peachy: The intention is to have something permeable and they are looking at new products to address this.*
- The Resolution, Condition #9, states some of the trees may be transplanted on or off site. *Ms. Heffernon: This is to allow flexibility - this is just a preliminary landscape plan.*

- MM 4.3.29, third bullet, regarding water retention, should this be included? *Ms. Heffernon stated this should be deleted – no onsite detention is required for this project.*
- In the October 2006, the applicant provided additional information to the City Council which stated “the drainage evaluation indicates that the peak flows are being reduced through reduction in impervious surface area” – asked for an explanation. *Mr. DeBlauw: Public Works had determined that there was not a requirement for retention basins as the proposed project is below the flood plain and in addition it is reducing the amount of impervious area; Geo Solutions soil’s report verified this.*
- Will the DG footpath be 10-feet from the top of the creek bank (within the 25-foot setback)? *Ms. Heffernon stated that the City has approved semi-impervious paths within the creek setback area (25 feet) previously.*
- MM 4.3.18: Who will monitor for wildlife during construction? *Mr. DeBlauw stated this is done by a qualified consultant.*
- Will there be a footpath down to the creek? *Ms. Heffernon stated it is a recommended mitigation measure in the EIR, but the Commission can recommend to City Council not to allow this*
- With the design allowing water to flow through the site would seismic shaking affect the buildings differently? *Mr. DeBlauw explained that the buildings are always designed for seismic activity; there will be more borings done to substantiate this.*

Barneich:

- After discussion with staff and Debbie Black (landscape architect), incorporation of bioswales on-site could be located next to the parking garage between the residential structure and one towards the creek next to the sod; Department of Fish and Game or Army Corps of Engineers would have to be consulted to make sure this would be okay; she would like to have this explored. *Mr. Peachy: This could work well for the low flow event and nuisance flow.*
- *Ms. Black has stated her preference for using DG so she hoped they would go with this for the path.*
- Is the yellow color a true color? *Mr. Peachy: Lighting affects colors, but we will note that a warm yellow is preferred.*
- Will there be an interpretive plaque about the railroad? *Mr. Peachy: This could be done and they would probably involve the Historical Society.*
- Will there be street trees shown on the plan? *Mr. DeBlauw: They are planning on street trees every 50 feet; if the existing Cypress trees are retained on the north side there will be no requirement in that area.*
- How will the improvements be done where the two crosswalks meet on LePoint Street and Crown Terrace? *Mr. Spagnolo: This corner has yet to be addressed and improvements made with a handicap ramp; in respect to the intersection by Barbara Freel’s house, there will be no improvements directly in front of her house, but this area will need some modifications made on the southwest corner.*
- Looking down Crown Terrace there could be one streetlight where the driveway comes out onto Crown Terrace (with Police Department approval).
- MM 4.3.14, who follows up on this to make sure that the pre-construction survey is done. *Ms. Heffernon: The City will be following up on this.*

- Could some of the residences be made smaller (to make them more affordable) and some larger. Mr. DeBlauw suggested that taking the square footage out does not necessarily reduce the cost; they had considered using elevators to reduce size, but this would not reduce the cost; 2,200 sq. ft. may not be too excessive as they have small yards.
- The pedestrian path (next to the creek) that comes out between units 7 & 8, ends up nowhere, have you talked to Mr. Brown regarding using the little alley as a connection to Branch Street and doing decorative paving across the parking lot. Mr. DeBlauw: Mr. Brown is aware of this, has been very cooperative regarding the whole project, and this could probably be done.

Ray:

- The Commissioners had asked all her questions except one: On DP2, #11, it shows an elevation change with a fairly significant drop, how will this work? Mr. DeBlauw: There is a shoulder and slope which provides a margin.

Chair Ray opened up the public hearing.

Jack English, Le Point Street, stated he was representing Earl Bagleman who was unable to attend this evening. He then read a letter (already received by the Commission) written by Mr. Bagleman, stating concerns with the density of the proposed project, parking, building heights, and suggesting changes to the project.

Barbara Free!, read a letter from David Sullivan, who had recently purchased a condo on Le Point Terrace and who was unable to attend the meeting. The letter stated concerns with the nuisance of construction during sleeping hours (he works nights), impairment of his scenic views and disruption of the serenity of the location.

Barbara Free! then spoke for herself, stating that she was really pleased to see the time and effort put in by the developer for this project and the changes made after the previous meetings. However, she still is troubled by the 45-foot commercial building and the scale and mass of it at end of the Village.

Carol Fulmer, LePoint Street, thanked everyone for listening to her concerns and addressing some of them. She still has the following concerns: She does not want a sidewalk on the north side of LePoint Street and would like to discuss this with the City; she does not want street lights on LePoint Street; regarding undergrounding of utilities because she has two on her small lot which may impact her house; construction noise and pollution are also a concern, and she would like to know the hours that this will take place.

Camay Arad, Allen Street and business owner of the "Chameleon" store stated she was very excited about this project; it fits in beautifully in every aspect. She would like to be assured that her business will not be blocked during construction and that the dust will be controlled (she would like this to be formally included in the conditions).

Mike McConville, East Branch Street stated that this is a great project and the developer had done a fantastic job; 2,200 sq. ft. is not too large; the paths next to the creek are

important; the cost for the improvements on the other side of the street should be born by the City; he would like to see both sides of the creek banks cleaned up.

Duane DeBlauw, stated that without the encouragement of VIA and staff they would not be here tonight; it had been a lot of work and a long toil to get to this point.

Chair Ray closed the public hearing to comment.

Commissioner Barneich asked staff to address the concerns of Carol Fulmer. Mr. Spagnolo stated that regarding no sidewalk on LePoint Street, this would have to be discussed with Carol Fulmer as he was not sure how this would work for wheelchair access; PG&E would have to be consulted regarding the undergrounding of utilities. Ms. Heffernon confirmed that construction hours would be Mon-Fri 8:00 am to 5:00 pm and the inspection time will be 7:00 am. To 5:00 pm.

Commission comments:

Barneich:

- A lot of great changes have been made since the Council looked at this last year and the architect has done a great job.
- Ms. Black has put a lot of thought into the landscape plan and has put in real trees (no bushes).
- She likes the residential component, the infill housing, and thinks this will be a great place to live.
- She likes the recreation area, with picnic table and play structure.
- The Cypress trees may not look right, but suggest that they could be thinned, some taken out, and some other species mixed in with them.
- Bioswales need to be incorporated into project to reduce the amount of runoff.
- The yellow color should be warmer,
- The pedestrian path is important, even though it is Mr. Brown's property, to make the whole project walkable; there definitely needs to be delineation in the asphalt with some decorative paving or colored concrete to lead pedestrians safely through the parking lot.
- Streetlights: Needs to be specified to have the very minimum that the Police Department requires.
- Street trees need to be located every 50 feet to help screen.
- She appreciates the public outreach that the developer did.
- She is ready to approve the project with minor modifications.

Tait:

- Would the six-foot DG footpath be accessible to the public? *Ms. Heffernon: It would be.*
- He agreed with Commissioner Barneich's comments on this project being infill and meeting smart growth principles.
- MM 4.2.1, under air quality, he recommended adding (at the end of the first bullet) that reclaimed non-potable water should be used whenever possible.

- MM 4.3.13, he recommended adding "as determined by a qualified biologist" after the requirement that stockpiles be kept far enough from the banks of the active creek channel.
- The insufficiency of the culvert under Branch Street to pass water in a 100-year flood is an important issue and fixing it with shared cost should be looked into.
- MM 4.7.1, under Hydrology and Water Quality, he would like to see this study submitted and completed with a neutral third party engineering firm and included in here to otherwise he would not be able to make finding #5.
- He was very impressed with the visuals, but he still has a concern with what the project will really look like.
- There are still questions on the speed bumps, bioswales (agrees they will work for low flow situations).
- A decision on whether to keep the footpath down to the creek needs to be made.
- A quote from a citizen's letter from last year's meeting, "Let's be particularly careful to preserve the unique character of the area and ensure it's development is consistent with the rest of the Village", he would like to see this followed.

Marshall:

- He could see that this project has been through a lot and he's glad that he is viewing this after it got good.
- He agreed with the other Commissioners that the project looks good.

The following items still to be addressed:

- Add a condition to address concerns regarding maintaining access to the business "Chamleon".
- Update the condition to make clear that the intersection of Crown Terrace and LePoint Street becomes an all-way stop sign.
- Delete the reference to the gate in the middle of the project, Condition #'s 8 & 56.
- Condition #10 regarding storage cabinets in the garage need to be elevated, a reference to the flood study, as determined by the project engineer, should be added.
- He agrees with Commissioner Barneich's comments regarding the lights; take out the reference to Village style lights on Crown Terrace and LePoint Streets and replace with the minimum of lighting required for public safety.
- He agrees with the concept of adding a pedestrian connection through the central parking area to the recreation area by the creek and connecting through to Branch Street.
- He agrees with placing street trees every 50 feet instead of 75 feet, about watering the stockpiles with non-potable water, and about having a biologist determine the limits of the creek bank.
- There needs to be more discussion on the final colors and whether they should come back to both Planning Commission and ARC.
- The Cypress trees can support the idea of thinning and mixing other trees;
- Bioswales could be just a basic feature of the landscape design.
- Public Works staff can do the flood analysis and address the concerns.
- Speed bumps could be put in later if required.
- He would rather not see a path all the way down to the creek.

Ray:

- I trust staff and the developer to deal with the issue of the flood analysis.
- She agrees that speed bumps do not need to be included now.
- She wants the footpath down to the creek as the public will go down to the creek anyway and this is the right place to do this and the right thing for families.
- She agrees with Commissioner Barneich regarding the lighting to have the minimum per Police Department requirement and that it is downlighting, not at the height of a typical street light (important for people like Mr. Sullivan).
- She wanted to make note of the proposed lovely trash enclosure design .
- She complimented the architect on the fantastic renderings and complimented the staff, Commission, and developer on all doing a fantastic job without which this project would not have gone forward.

Chair Ray made a motion, seconded by Commissioner Barneich, recommending the City Council approve the addendum to the previously certified FEIR for the project and approve Planned Unit Development Case No. 04-001 and Vesting Tentative Tract Map Case No. 04-004 with the following amendments to the Resolution:

1. Condition #54 – this should include the all-way stop.
2. There should be agreement reached with Carol Fulmer.
3. Strike Condition #'s 8, 56, MM 4.3.29, bullet 3 & MM 4.4.
4. Condition #10 should be more specific in respect to the flooding reference regarding the storage cabinets.
5. Condition #23, should include all sidewalks.
6. Condition #46, the minimum lighting required by the Police Department, specify down lighting and not regular street lights.
7. Add a condition to protect Chameleon's business, regarding the parking and the dust.
8. Condition #17, strike the requirement for the Planning Commission, but not the ARC from this requirement.
9. MM 4.2.1, include non-potable water to be used whenever possible.
10. MM 4.3.13, should state the storage should be set outside the setback area, rather than determined by a qualified biologist.

Add the following – not presently part of the conditions:

11. Bioswales as feasible.
12. Historic markers to be reviewed by ARC.
13. Thinning or removal of the Cypress trees as necessary.
14. Have a path across the parking area for pedestrians even if it means losing a parking space.
15. Street trees every 50 feet.

Discussion:

Commissioner Barneich, regarding the bioswales, she would like to replace "as feasible" with "if the Department of Fish and Game and Army Corps of Engineers allow".

Commissioner Marshall suggested Commissioner Barneich's request be added to Condition #59.

Commissioner Barneich – She would like to see more bike racks.

Commissioner Tait - The footpath adjacent to the creek should be DG. He did not agree with having a footpath down to the creek as there are many questions that have not been answered.

Commissioner Barneich – After listening to the comments from Commissioners' Marshall and Tait on the footpath down to the creek, she would concur with them on this issue.

Chair Ray stated that any reference to the footpath would be struck from the motion.

The Commissioners agreed to go forward with the motion as stated, and adopt:

RESOLUTION 07-2045

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARROYO GRANDE RECOMMENDING THAT THE CITY COUNCIL CONSIDER AN ADDENDUM TO THE PREVIOUSLY CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROJECT, ADOPT A MITIGATION MONITORING PROGRAM, INSTRUCT THE DIRECTOR OF ADMINISTRATIVE SERVICES TO FILE A NOTICE OF DETERMINATION, AND APPROVE VESTING TENTATIVE TRACT MAP CASE NO. 04-004 AND PLANNED UNIT DEVELOPMENT CASE NO. 04-001, LOCATED AT 415 EAST BRANCH STREET, APPLIED FOR BY DB & M PROPERTY, LLC

The motion was approved on the following roll call vote:

AYES: Chair Ray, Commissioner Barneich, Marshall, and Tait
NOES: None
ABSENT: Commissioner Keen

the foregoing Resolution was adopted this 4th day of September, 2007.

III. NON-PUBLIC HEARING ITEMS:

None.

IV. NOTICES OF ADMINISTRATIVE DECISIONS SINCE AUGUST 21, 2007:

None.

V. DISCUSSION ITEMS:

None.

VI. PLANNING COMMISSION ITEMS AND COMMENTS:

None.

VII. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS AND FOLLOW-UP:

None.

20 August, 2007

Members of the Planning Commission,

My name is Earle Balgeman and I live at 505 Le Point St., Arroyo Grande, CA 93420. I live at the Corner of Le Point and Crown Terrace and the traffic activity at the corner and the northern end of Crown Terrace are clearly visible to me.

I appreciate the absence of the driveways into residential garages along Crown Terrace in this proposal but I am disappointed to see a planned driveway from Crown Terrace to the upper story of the parking garage. I am also disappointed to see a planned two-story parking garage in this presentation. We do not have a multistoried parking garage in Arroyo Grande at this time.

The 22 residences in the planned area present a much higher density than the 9 apartment area along Crown Terrace.

The Loomis property currently has buildings which are only one story. The planned 3 story buildings on this end of our Village remind me of the buildings on the other end or western end of the Village. We seem to want building on each end of the Village which are not typical of the central portion of the Village. Also, the tall buildings along Crown Terrace will present a tunnel-like appearance to the southern end of Crown Terrace.

In summary, I would ask the following features of the plan be considered.

- # Eliminate driveway into parking garage
- # Eliminate second story of parking garage
- # Reduce the residential density.
- # Consider reducing the height of buildings along Crown Terrace.
- # Reduce the tunnel-like appearance at the south end of Crown Terrace.

Thank you for your attention.

Earle Balgeman
505 Le Point St.
Arroyo Grande, CA 93420

RECEIVED

AUG 30 2007

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

To the Arroyo Grande Planning Commission
Date: 8/31/07

Nelly F. J.
RECEIVED
AUG 31 2007

Dear Commissioners,

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT

The public has spent considerable time and effort in the past offering public comment on the proposed Creekside project. As a result, the revised project before you now is definitely a better project for the City and for the neighborhoods near this development.

In reviewing the current materials presented to the Planning Commission, I would like to make several comments.

1. Commercial Building

I have just become aware in reviewing the current plans that the scale and mass of the commercial building has been minimally reduced from prior plans. The scale and mass of the building had previously been of major concern by the Planning Commission and the City Council.

Also, I had understood and believed that the maximum allowable height of the building could not exceed 35 feet yet I have now discovered that the commercial building's height is actually 45 feet. I must respectfully suggest that the scale, mass and height of the building are still too massive for the site and are of inappropriate size for the Village.

2. Lighting

The current materials continue to state that decorative street lights will be installed along Crown Terrace and Le Point St. After public comment, this item was considered by the Planning Commission with the result it was previously modified by the applicant as follows:

Debbie Black
"The elimination or modification of street light structures and their intensity in the residential areas of the project is acceptable if the City allows for deviation from these requirements." I do not see that modification in the current materials. In asking Don Spagnolo today what the City's requirements are, I was told "nothing specific."

As a result, because the planned lighting installation will cause considerable lighting pollution for the condos above the project and the surrounding residences along Crown Terrace and Le Point Street, I am asking that the lighting be kept to the absolute minimum and planned with the utmost sensitivity for the surrounding neighborhoods.

Those of us whose quality of life will be greatly impacted by this project appreciate your careful consideration of the above-raised concerns. Thank you.

Barbara Freel *B.F.*
502 Le Point Street

David Sullivan
135 Le Pointe Terrace
Arroyo Grande, Ca. 93420


September 3, 2007
To Whom It May Concern:

I am 51 years old and work nights at a high stress job. I have recently acquired a home at the address listed above and am proud of my accomplishment. I have lived in substandard conditions for many years while saving enough money to purchase this home, and I am concerned with the notion of construction that may begin in this area. The deciding factors for the home I purchased were the scenic views and serenity of the location. The idea of having my views impaired and the nuisances that go along with building during my rest periods having a construction zone just outside of my sleeping quarters.

The bedrooms in my home are directly across from the proposed building site and are much more susceptible to obstruction and pollution from light sources and traffic. I understand the exigency to develop, but the culmination of the current project would be such a personal loss of sanctity of all affected.

Please consider these details, however trivial they may seem. I appreciate the time given to reading this letter.

Respectfully,


Dave Sullivan

Received at meeting
9/4/2007