

**INITIAL STUDY ER 112-07  
ENVIRONMENTAL CHECKLIST FORM  
For ARC/TR 112-07**

1. **Project Title:** Prado Business Park
2. **Lead Agency Name and Address:** City of San Luis Obispo  
919 Palm Street, San Luis Obispo, CA 93401
3. **Contact Person and Phone Number:** Pam Ricci, Senior Planner (805) 781-7168
4. **Project Location:** 400 Prado Road, San Luis Obispo, CA
5. **Project Sponsor's Name and Address:**

Owner: Prado Road LLC  
Architect/Agent: Hamrick Associates, Inc.  
1609 Costa Brave  
Shell Beach, CA 93449  
(805) 773-9377

6. **General Plan Designation:** Business Park (Margarita Area Specific Plan)
7. **Zoning:** BP
8. **Description of the Project:**

The applicant is proposing to develop the 20 acre site with a 160,000 sq. ft. business park including a parking area with 479 parking spaces. Approximately 71% of the site will be landscaped including the area around the site perimeter, areas around buildings and within the parking lots, and those areas designated drainage and detention, avigation easement, oil plume and wetland restoration. Seven new buildings, each with 22,809 square feet of floor area, are proposed. The buildings will be designed for office or light industrial occupancies; two buildings will be reserved exclusively for office use. All buildings will have an identical two-story L-shaped floor plan.

9. **Surrounding Land Uses and Settings:**

The subject parcel is a 20-acre vacant parcel at the corner of Prado Road and Davis Road. This property was officially annexed to the City on June 24, 2008. The parcel is within the boundaries of the Margarita Area Specific Plan (MASP), and the proposed General Plan and Zoning



designation is Business Park. Adjacent development to the west is commercial service and manufacturing buildings that are within the City's Higuera Commerce Park specific plan area. There are two existing adjacent business parks to the southwest of the site. Adjacent land to the north is currently used for grazing land but is zoned for office and residential. The remaining surrounding area to the north and east is included in future phases of the MASP and to the south and east in the Airport Area Specific Plan (AASP).

The project site consists of mainly grassland that has historically been used for grazing. The site is bordered to the west by a creek and a drainage and detention basin to accommodate overflow into the 100-year floodplain on the western edge of the project site. The southern edge of the site is a designated wetland restoration area. Other important characteristics of the site include an avigation easement (the property is in the S-1b Airport safety area), two large oil plumes and a proposed Class II bike lane along Davis Road.

**10. Project Entitlements Requested:**

The project includes architectural review of development plans by the Architectural Review Commission (ARC), environmental review, and a tract map.

**11. Other public agencies whose approval is required:**

Air Pollution Control District (Permit to Construct, Permit to Operate)  
Water Quality Control Board (NPDES permit-including Phase II & SWPPP)  
California Department of Fish and Game  
U. S. Army Corps of Engineers



**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

X	Aesthetics	X	Geology/Soils		Public Services
	Agricultural Resources	X	Hazards & Hazardous Materials		Recreation
X	Air Quality		Hydrology/Water Quality	X	Transportation & Traffic
X	Biological Resources		Land Use and Planning		Utilities and Service Systems
X	Cultural Resources		Noise		Mandatory Findings of Significance
	Energy and Mineral Resources		Population and Housing		

**FISH AND GAME FEES**

	There is no evidence before the Department that the project will have any potential adverse effects on fish and wildlife resources or the habitat upon which the wildlife depends. As such, the project qualifies for a de minimis waiver with regards to the filing of Fish and Game Fees.
X	The project has potential to impact fish and wildlife resources and shall be subject to the payment of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code. This initial study has been circulated to the California Department of Fish and Game for review and comment.

**STATE CLEARINGHOUSE**

X	This environmental document must be submitted to the State Clearinghouse for review by one or more State agencies (e.g. Cal Trans, California Department of Fish and Game, Department of Housing and Community Development). The public review period shall not be less than 30 days (CEQA Guidelines 15073(a)).
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**DETERMINATION:**

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made, or the mitigation measures described on an attached sheet(s) have been added and agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	X
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potentially significant" impact(s) or "potentially significant unless mitigated" impact(s) on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

*Doug Davidson*  
Signature

1/16/09  
Date

Doug Davidson, Deputy Director, Development Review  
Printed Name

John Mandeville, Community Development Director  
for

## EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the analysis in each section. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. The explanation of each issue should identify the significance criteria or threshold, if any, used to evaluate each question.
3. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (D) of the California Administrators Code. Earlier analyses are discussed in Section 17 at the end of the checklist.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion. In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project



Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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1. AESTHETICS. Would the project:					
a) Have a substantial adverse effect on a scenic vista?	1, 10, 26			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, open space, and historic buildings within a local or state scenic highway?	1, 2, 8, 26			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	21, 24			X	
d) Create a new source of substantial light or glare which would adversely effect nighttime views in the area?	20, 21, 24, 26		X		

**Evaluation**

a) The MASP/AASP EIR determined that the implementation of the MASP would inevitably result in a change of character of the plan areas from a generally semi-rural to an urban developed setting (LU-6). The project site is proposed to be developed in accordance with the Business Park land use designations as identified on the land use plan included in the MASP.

The project site is not currently located in the vicinity of any designated scenic vistas or scenic roadways. However the proposed extension of Prado Road may eventually become a scenic roadway with moderate or high scenic value as South and Broad Streets and Tank Farm Road are major arterial roadways in the area that are considered to have moderate or high scenic value. Since the project has a campus-like site design and the buildings are less than 36 feet in height, the impact to views in the area will be less than significant with the project's required review by the Architectural Review Commission (ARC).

b) The project site is not along or near a designated local or state scenic highway. Therefore, there is no impact to visual resources along these routes. However the project site contains two oil plumes, an avigation easement, and the stormwater basin for the MASP Western Enclave properties. It is an objective of the MASP/AASP EIR to protect natural habitats, including creeks, hills, wetlands, and corridors between these habitats. As a result, the MASP & EIR determined that lands containing wetlands or sensitive habitats should be preserved as set forth by the "Open Space-Riparian" land use designations. The western and southwestern edges of the subject site contain such a designation. Project plans indicate buildings encroach up to, but not within any of these areas while the parking lot does encroach upon the designated oil plumes and the avigation easement.

c) The existing visual character or quality of the site will change from semi-rural to urban as a result of proposed development. The project is required to be consistent with the distribution of land uses and design standards in the MASP to ensure that development is acceptable and that no new buildings block scenic views. The project will be required to comply with City codes and standards some of which impact aesthetics and ultimately the project will require the review and approval of the ARC to ensure consistency with the City's Community Design Guidelines as well as the MASP.

e) The MASP/AASP EIR acknowledges that future development pursuant to the MASP will introduce new sources of light, glare and nighttime illumination, as is typical with commercial development. However, the MASP/AASP EIR determined that such light and glare impacts (LU-7) can be mitigated to less than significant at the site specific project stage through compliance with lighting design standards set forth in the MASP and other applicable City regulations. The City's Community Design Guidelines for lighting prohibit light in excess of one foot-candle from spilling over the property line. Glare resulting from proposed lighting would be reduced by implementation of standard requirements to shield lights and recess light sources within fixtures. Impacts from new sources of light or glare will be less than significant with mitigation LU-7.1 as specified in the MASP/AASP EIR to be implemented through compliance with the MASP Community Design standard of Section 3.3-Lighting and the lighting standards contained in the Community Design Guidelines. Building and parking lot lighting for the project would also be reviewed and approved by the ARC.

Implementation of the proposed project would result in potentially significant impacts including the addition of new night lighting. In order for MASP/AASP EIR Mitigation Measure LU-7.1 as implemented by the MASP to be carried through to lot-specific development stage, a lighting plan that demonstrates compliance with Community Design Section 3.3 Lighting requirements of the MASP shall be submitted with other required plans for the project to the review and approval of the ARC.

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Conclusion:** Potentially Significant Unless Mitigation Incorporated.

**Mitigation Measure:**

The applicant shall submit an exterior lighting plan ensuring that lighting associated with the project shall not spill over the property lines and that light trespass shall be reduced by shielding lights and recessing light sources within fixtures. The lighting plan shall propose specific measures to limit the amount of light trespass associated with development within the project area including shielding and/or directional lighting methods to ensure that spillover light does not exceed one foot-candle at adjacent property lines and submit photometrics to substantiate this standard is met. The lighting plan shall be to the review and approval of the Architectural Review Commission.

**2. AGRICULTURE RESOURCES. Would the project:**

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	9, 11, 12				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	9				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	10, 21, 26			X	

**Evaluation**

a), b) According to the prior MASP/AASP EIR, the Margarita Area does not contain any lands in the stated categories as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The Farmland Mapping and Monitoring Program of the California Resources Agency classify the project site as Urban or Built-Up Land, which is defined as "land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel." The project will not cause the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to any non-agricultural use or conflict with existing zoning for agricultural use.

c) Lands in the vicinity of the project site are either already developed or, if within the MASP and in agricultural use (farmland/grazing or open space), are already slated by the MASP for eventual non-agricultural use. The impacts of conversion of these lands to non-agricultural uses have already been evaluated both in the environmental documents for the City's Land Use and Circulation Elements and the MASP as significant, irreversible, adverse impacts that could not be mitigated and the necessary Statement of Overriding Considerations was adopted by Resolution No. 9615 (2004 Series) pursuant to CEQA. Nonetheless, policies of the Land Use Element were adopted to help compensate for, and thereby reduce the impacts from productivity lost as a result of the conversions to non-agricultural uses. This project complies with those policies by being consistent with approved land use designations for the site.

**Conclusion**

The project's impacts on agricultural resources are less than significant.

**3. AIR QUALITY. Would the project:**

a) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	13, 14, 26, 30			X	
b) Conflict with or obstruct implementation of the applicable air quality plan?	13, 14, 26			X	
c) Expose sensitive receptors to substantial pollutant concentrations?	8, 24, 26			X	
d) Create objectionable odors affecting a substantial number of	24, 26				X



Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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<p>people?</p> <p>e) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed qualitative thresholds for ozone precursors)?</p>	13, 14, 24, 26,30			X	
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Evaluation

a), b), c) The Clean Air Plan (CAP) for San Luis Obispo County was developed and adopted by the Air Pollution Control District (APCD) and is a comprehensive planning document designed to reduce emissions from traditional industrial and commercial sources, as well as from motor vehicle use. Land Use Element Policy 1.18.2 states that the City will help the APCD implement the CAP. The MASP/AASP EIR concluded that implementation of the Plan, with mitigation measures AIR-1.1, 1.2, 1.3, and 2.1 applied to individual projects, is consistent with the Clean Air Plan. (Mitigation measure AIR-1.1 listed in the MASP/AASP EIR is outdated as the APCD no longer endorses the use of Caterpillar pre-chamber diesel engines or the installation of catalytic converters, but instead recommends the use of diesel oxidation catalysts (DOC) or catalyzed diesel particulate filters (CDPF) as the current control technologies.) The EIR also determined that with adoption of the MASP and its accompanying EIR mitigation measures, further delays in attainment of state and federal air quality standards would not be expected and thus, air quality impacts resulting from build-out of the Plan were determined to be less than significant.

d) The project will not create objectionable odors under normal operation.

e). According to the MASP/AASP EIR, during project construction there will be increased levels of fugitive dust associated with construction and grading activities, as well as construction emissions associated with heavy-duty construction equipment. Construction-related emissions would primarily be dust (particulates) generated from soil disturbance and combustion emissions generated by construction equipment. Such dust generation was determined to be a potentially short-term significant impact on air quality that could lead to established state and federal thresholds for regional or local air quality being exceeded or potential conflicts arising with City and County air quality plans or programs. The City has addressed these construction related impacts through standards in the Grading Ordinance and mitigation measures in the MASP/AASP EIR. Compliance with these standards is monitored during the building permit plan check process and by field inspections conducted by Building Division inspectors.

The MASP/AASP EIR also noted long-term (“operational”) air quality impacts would result from on-going emissions generated by project-related vehicular trips and development resulting in additional natural gas combustion for space and water heating and additional fuel combustion at power plants for electricity consumption. According to the Air Pollution Control District’s (APCD) “CEQA Air Quality Handbook,” land uses that cause the generation of 10 or more pounds per day (PPD) of reactive organic gases (ROG), oxides of nitrogen (NOx), sulfur dioxide (SO<sub>2</sub>), or fine particulate matter (PM<sub>x</sub>) have the potential to affect air quality significantly. A 45,000 sq. ft. office park generates 10 lbs of emissions<sup>1</sup> each day and a 110,000 sq. ft. office park generates 25 lbs of emissions<sup>1</sup> per day. The Prado Business Park plans indicate about 160,000 square feet which equates to 36 lbs of emissions<sup>1</sup> produced each day. APCD staff has estimated the operational impacts of this development through the use of the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project’s land uses. The results of the model using County average trip distances demonstrated that the operational impacts will likely exceed the APCD’s CEQA Tier II significance threshold value of 25 lbs/day for NOx, ROG, and PM<sub>10</sub>.

In addition to the criteria pollutants listed above the state of California recently passed Assembly Bill 32, the California Global Warming Solution Act of 2006 and California Governor Schwarzenegger Executive Order S-3-05 (June 1, 2005), both require reductions of greenhouse gases in the State of California. The Governor has recognized, “mitigation efforts will be necessary to reduce greenhouse gas emissions and adaptation efforts will be necessary to prepare Californian for the consequences of global warming”.

In order to mitigate air quality impacts from this project the applicant must implement all applicable Standard Mitigation Measures and all feasible, but no less than 10, Discretionary and Greenhouse Gas Mitigation Measures outlined in the letter



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from APCD dated February, 2008.

<sup>1</sup> Emissions are defined as one of either, ROG, NOx, or PM<sub>10</sub>.

**Conclusion:** Potentially Significant Unless Mitigation Incorporated.

The project will likely exceed APCD thresholds and air quality mitigation measures shall be required. The applicant should quantify the emissions from the construction phase activities, including all hauling of material on and off site so appropriate mitigation measures can be defined. However, since the MASP/AASP EIR determined air quality impacts resulting from build-out of the Plan to be less than significant, air quality impacts from this project are also determined to be less than significant. The City's Grading Ordinance and MASP/AASP EIR include dust control measures that will apply to the construction of the project.

**Mitigation Measure:**

In order to mitigate air quality impacts associated with this project the applicant must implement the following measures:

- a. Mitigation Measures AIR 1.1, 1.2, 1.3, and AIR 2.1 from the MASP/AASP EIR.
- b. Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- c. Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- d. Provide preferential carpool and vanpool parking spaces.
- e. Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.
- f. Increase the building energy efficiency rating by 10% above what is required by Title 24 requirements. This can be accomplished in a number of ways (increasing attic, wall, or floor insulation, installing double pane windows, using efficient interior lighting, etc.).
- g. Implement all feasible Discretionary and Greenhouse Gas Mitigation Measures (but no less than 10) provided in the letter from APCD dated February, 2008.

**4. BIOLOGICAL RESOURCES. Would the project:**

a) Have a substantial adverse effect, either directly or indirectly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 6, 11, 26, 33		X		
b) Have a substantial adverse effect, on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	11, 24, 26, 33		X		
c) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (e.g. Heritage Trees)?	6, 11, 26				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	11, 26, 33			X	
e) Conflict with the provisions of an adopted habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	6, 26				X
f) Have a substantial adverse effect on Federally protected wetlands as defined in Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, etc.) through direct removal, filling, hydrological interruption, or	6, 24, 26, 28, 33		X		

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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other means?

Evaluation

a), b) The MASP & AASP EIR conducted an extensive biological resource impact analyses and determined 19 potentially significant impacts. Of these 19 impacts, 6 were determined not to be significant and not require mitigation, one was ruled out as an impact for the MASP territory, and 3 more were determined not to be significant impacts at the conclusion of site specific surveys during the winter, spring, and summer of 2005. After a specialized biological report was prepared of the site, the City's Natural Resources Manager determined that impacts BIO- 6, 9, 12, 13, & 17 were applicable and could have potentially adverse effects on species identified as a candidate, sensitive, or special status species, riparian habitats or other sensitive natural communities, and protected wetlands. The impacts were determined to be potentially significant, but less than significant after mitigation.

c), e) No endangered, threatened or other protected species have been reported on the project site. There are no local ordinances or habitat conservation plans that affect the property or identify the site as potential habitat for any protected species of plant or animal.

d) The project site is located within what the City of San Luis Obispo classifies as a wildlife zone and it is City policy to protect wildlife corridors. The Margarita Area does not contain any waterways known to be important of viable fisheries, therefore there is not expected to be any effect on fish species. Due to the relatively poor soils, simple vegetation type (grassland), and general lack of vegetation diversity, the Western Enclave developments of MASP are not rich in wildlife species and do not form any kind of nursery or refugium for wildlife species. Therefore it is not expected that the development would interfere substantially with the movement of any native wildlife species.

f) A wetland assessment report prepared by David Wolff Environmental in 2005 and a more recent study by Althouse and Meade in 2008 for the project site identified 2.6 acres of wetlands referred to as Drainage A, Drainage B, seasonal wetland, and isolated wetland. Indicators of wetland hydrology were predominately drainage patterns, drift lines of debris, algal mats, and mud stained leaves. Drainage A is 0.6 acres bordering the western and part of the southern boundaries of the site. Drainage B enters the site from the east and runs in a southerly direction along the eastern portion of the site covering an area of 0.7 acres. Both Drainage A and Drainage B support a seasonal wetland plant community. A low lying flat area between Drainage A and Drainage B ponds when Drainage A tops its banks. This shallow ponded area of 1.3 acres is identified as a seasonal wetland in the wetland assessment report. The isolated wetland is a 400 – 450 square-foot depression, which is not located within tributary waters of the U.S., and does not fall under the jurisdiction of the U.S. Army Corp of Engineers pursuant to Section 404 of the Clean Water Act. It could represent a State wetland although California does not make the distinction of isolated wetland. Development of the project will impact certain of the site's wetlands, but those impacts have been determined to be less than significant after mitigation.

**Conclusion:** Potentially Significant Unless Mitigation Incorporated.

The project does have the potential to significantly impact biological resources but can be mitigated to less than significant.

Mitigation Measures:

Implement the following Mitigation Measures from the MASP/AASP EIR:

1. BIO 1.1, conduct surveys to determine presence of wetlands and/or sensitive species (already completed);
2. BIO 6.1, minimize impacts to wetland habitat and prepare and implement a wetland habitat mitigation plan, to the satisfaction of the Natural Resources Manager, California Department of Fish and Game, and U.S. Army Corps of Engineers;
3. BIO 9.1, mitigate for impacts to sensitive plant species (Congdon tarplant) to the satisfaction of the Natural Resources Manager;
4. BIO 12.1, conduct preconstruction surveys to determine presence of burrowing owl, and, if found, prepare and implement a protection and mitigation plan to the satisfaction of the California Department of Fish and Game;
5. BIO 13.1, provide training for construction personnel to recognize and protect California red-legged frogs; and



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6. BIO 17.1, provide training for construction personnel to recognize and protect southwestern pond turtle.

To accomplish the above, a City-approved biological monitor shall be retained by the project sponsors to oversee implementation of the described mitigations and other protective measures.

**5. CULTURAL RESOURCES. Would the project:**

a) Cause a substantial adverse change in the significance of a historic resource? (See CEQA Guidelines 15064.5)	16, 18, 22			X	
b) Cause a substantial adverse change in the significance of an archeological resource? (See CEQA Guidelines 15064.5)	15, 18, 22, 26			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	6, 15, 18, 26				X
d) Disturb any human remains, including those interred outside of formal cemeteries?	17,18, 26				X

Evaluation

a), b) c) d) The MASP/AASP EIR determined that further on-site surface surveys be done in conjunction with each site specific development proposal. Consistent with this requirement, a Phase 1 archaeological resources inventory report prepared by Thor Conway dated February 25, 2008 was submitted to the City. That survey is hereby incorporated into this initial study by reference. A surface survey (ARI) made across the property did not reveal the presence of archaeological materials. The report concludes that development of the area is unlikely to affect any known or suspected archaeological resources and no additional investigation is recommended prior to construction. However, there will be significant excavation at the site associated with the installation of utilities and foundation for the project. Therefore, the project does have the potential to impact cultural resources, but the following standard mitigation measure will properly address the potential impact of archaeological resources being uncovered during construction.

**Conclusion:** Potentially Significant Unless Mitigation Incorporated.

Mitigation Measure

If excavations encounter significant paleontological resources, archaeological resources or cultural materials, then construction activities which may affect them shall cease until the extent of the resource is determined and appropriate protective measures are approved by the Community Development Director. The Community Development Director shall be notified of the extent and location of discovered materials so that they may be recorded by a qualified archaeologist. If pre-historic Native American artifacts are encountered, a Native American monitor should be called in to work with the archaeologist to document and remove the items. Disposition of artifacts shall comply with state and federal laws.

**6. ENERGY AND MINERAL RESOURCES. Would the project:**

a) Conflict with adopted energy conservation plans?	6			X	
b) Use non-renewable resources in a wasteful and inefficient manner?	6			X	
c) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	6, 10				X

Evaluation

a) b) The project will not conflict with adopted energy conservation plans or promote the use of non-renewable resources in an inefficient manner. Future site development must comply with the policies contained in the Energy chapter of the General Plan's Conservation and Open Space Element (COSE). The City implements energy conservation goals through enforcement of the California Energy Code, which establishes energy conservation standards for residential and nonresidential construction. Future development of this site must meet those standards. The City also implements energy conservation goals through Architectural Review. Project designers are asked to show how a project makes maximum use of passive means of



Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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reducing conventional energy demand, as opposed to designing a particular image and relying on mechanical systems to maintain comfort.

c) There are no known mineral resources on the project site that would be of value to the region or to the residents of the State.

**Conclusion:** No impact.

**7. GEOLOGY AND SOILS Would the project:**

I. Expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:	5, 8			X	
I. Rupture of a known earthquake fault, as delineated in the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault?	8, 19			X	
II. Strong seismic ground shaking?	8, 19			X	
III. Seismic related ground-failure, including liquefaction?	8, 19			X	
IV. Landslides or mudflows?	8, 19				X
b) Result in substantial soil erosion or the loss of topsoil?	11, 19, 28			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslides, lateral spreading, subsidence, liquefaction, or collapse?	8, 19, 31			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	8, 31			X	

Evaluation

a) San Luis Obispo County, including San Luis Obispo is located within the Coast Range Geomorphic Province, which extends along the coastline from central California to Oregon. This region is characterized by extensive folding, faulting, and fracturing of variable intensity. In general, the folds and faults of this province comprise the pronounced northwest trending ridge-valley system of the central and northern coast of California.

Under the Alquist-Priolo Special Studies Zone Act, the State Geologist is required to delineate appropriately wide special studies zones to encompass all potentially and recently-active fault traces deemed sufficiently active and well-defined as to constitute a potential hazard to structures from surface faulting or fault creep. In San Luis Obispo County, the special Studies Zone includes the San Andreas and Los Osos faults. The edge of this study area extends to the westerly city limit line, near Los Osos Valley Road. According to a recently conducted geology study, the closest mapped active fault is the Los Osos Fault, which runs in a northwest direction and is about one mile from the City's westerly boundary. Because portions of this fault have displaced sediments within a geologically recent time (the last 10,000 years), portions of the Los Osos fault are considered "active". Other active faults in the region include: the San Andreas, located about 30 miles to the northeast, the Nacimiento, located approximately 12 miles to the northeast, and the San Simeon-Hosgri fault zone, located approximately 12 miles to the west.

Although there are no fault lines on the project site or within close proximity, the site is located in an area of "High Seismic Hazards," specifically Seismic Zone 4, which means that future buildings constructed on the site will most likely be subjected to excessive ground shaking in the event of an earthquake. Structures must be designed in compliance with seismic design criteria established in the California Building Code for Seismic Zone 4. To minimize this potential impact, the Uniform Building Code and City Codes require new structures be built to resist such shaking or to remain standing in an earthquake.

b) The NRCS Soil Survey for the project site recorded two soil types for the site, Marimel Sandy Clay Loam, occasionally flooded and Xererts-Xerolls-Urban Land Complex, 0 to 15 percent sloped. Cropley Clay with 2 to 9 percent slopes is likely

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the original soil type within the Xererts-Xerolls-Urban Land Complex. Permeability of Marimel Sandy Clay Loam and Cropley Clay is moderately slow or slow and the available water capacity is high or very high. Surface runoff is slow or medium and the hazard of water erosion is slight or moderate.

The majority of the site is Marimel Sandy Clay Loam; this very deep, somewhat poorly drained soil is on alluvial fans, flood plains, and narrow valleys. The underlying material (to a depth of 60 inches or more) is stratified clay loam and silty clay loam. The soil has a water table within 2 to 3 feet of the surface from about November to July in most years and is subject to occasional, brief flooding from December to March. This soil's main limitations for urban development are the high water table and the hazard of occasional flooding. The design of structures needs to consider the soil's low strength and drainage is needed if roads and building foundations are constructed. These limitations can be mitigated by careful placement of materials or mixing the soil with more desirable materials, by maintaining a high level of compaction and moisture control, and locating roads, streets, and buildings above the expected flood level.

Cropley Clay soil is moderately well drained on alluvial fans or plains. Urban development is increasingly important on this soil. Foundations and footing designs need to compensate for the high shrink-swell potential and low strength. Road and street design can require that the base material be replaced or covered with a more suitable material so that maintenance is minimized. When irrigated the amount of water used must be controlled to prevent excessive runoff; sprinkler or drip methods of irrigation are best.

c), d) The Safety Element of the General Plan indicates that the project site has a high potential for liquefaction, which is true for most of the City, and the site contains highly expansive soils as defined in Table 18-1-B of the Uniform Building Code (2001). Recommendations included in a soils report are sufficient to mitigate potential hazards from building in these areas. A Soils Engineering Report prepared by GeoSolutions Inc in April 2007 for the project site found that the potential for seismic liquefaction of soils appears to be low and the potential for seismically induced settlement and differential settlement is considered to be low. The site's primary concerns are the potential for expansion and/or contraction of soils and the potential for different settlement between foundations supported on two materials having different settlement characteristics. The report concluded the site is suitable for the proposed development provided the recommendations presented in the report are incorporated into the project plans and specifications.

**Conclusion:** Potentially Significant Unless Mitigation Incorporated.

Development will be required to comply with the Uniform Building Codes and City Codes which require new structures to be built to resist shaking or to remain standing in an earthquake, and proper documentation of soil characteristics for designing structurally sound buildings. The Building Division of the Community Development Department routinely reviews project for their compliance with the recommendations of the soils engineering report for the site.

**Mitigation Measures:**

The applicant shall incorporate the recommendations included in the Soils Engineering Report for Parcel 12 Prado Road prepared by GeoSolutions Inc. into final project plans and specifications.

**8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:**

a) Create a significant hazard to the public or the environment through the routine use, transport or disposal of hazardous materials?	5, 24, 26, 30		X		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	10, 24, 26, 30		X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	9, 24, 26				X



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d) Expose people or structures to existing sources of hazardous emissions or hazardous or acutely hazardous materials, substances, or waste?	9, 10, 26, 30		X		
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, it would create a significant hazard to the public or the environment?	9, 26				X
f) For a project located within an airport land use plan, or within two miles of a public airport, would the project result in a safety hazard for the people residing or working in the project area?	9, 21, 22, 26				X
g) Impair implementation of, or physically interfere with, the adopted emergency response plan or emergency evacuation plan?	5, 24, 26			X	
h) Expose people or structures to a significant risk of loss, injury, or death, involving wildland fires, including where wildlands are adjacent to urbanized areas or where residents are intermixed with wildlands?	5, 24, 26				X

Evaluation

a), b), d) The MASP/AASP EIR determined that historical agricultural activities and surrounding industrial activities of the Margarita Area may have released hazardous materials into the environment. Hazardous materials releases may have involved leaking underground or aboveground storage tanks, or similar events from other nearby properties that store or handle hazardous or toxic materials. This project shall require an APCD permit to address proper management of the hydrocarbon contaminated soil prior to the start of any earthwork. This permit shall include conditions to minimize emissions from any excavation, disposal or related process.

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD.

Construction-related and ground disturbing activities may involve the use of materials that could contaminate nearby soils and water resources in the project area. Existence of such potential hazards could cause construction workers and other people to be exposed to dust or emissions containing such hazardous materials or to organic pesticides, herbicides, and other hazardous materials. The MASP/AASP EIR further determined impacts related to development of allowed business park land uses could result in operations-related exposures to hazardous materials and short-term surface water quality degradation from accidental release of hazardous materials during construction; areas of concern within the MASP included specific mention of Acacia Creek. The MASP/AASP EIR required 3 mitigation measures that would reduce such impacts to less than significant, HAZ 1.1, 1.2, and 2.1.

Since the project involves development of business park-office uses there is potential for impacts related to business park office development or uses that would involve the handling or disposal of materials used onsite, or the delivery, use, manufacture and/or storage of various chemicals necessary to perform manufacturing and business park activities. Mitigation Measure HAZ 2.1 is applicable to the subject project and is required to be brought forward as a condition of approval. Additionally, business using hazardous materials in sufficient quantities will be required to file a report with the Fire Department, as required by the California Health and Safety Code.

c), e) The project site is not located within a one-quarter mile of an existing or proposed school and the site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

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- f) The project site is located within the Airport Land Use Plan (ALUP) area S-1B, but when adopted, the City Council found the MASP to be consistent with the ALUP. Since the project and proposed uses and densities are compliant with the MASP, the project is also compatible with the policies and objectives of the Airport Land Use Plan.
- g) The project has been reviewed by the Fire Marshal to assure compliance with adopted fire/emergency-related codes. He has determined that the project will not conflict with any emergency response plan or emergency evacuation plan.
- h) The Safety Element of the General Plan identifies the site as having a low potential for impacts from wildland fires.

**Conclusion:** Potentially Significant Unless Mitigation Incorporated.

The project does have the potential to have significant impacts from hazards and hazardous materials but can be mitigated to less than significant.

**Mitigation Measures:**

As stipulated in the MASP/AASP EIR, the applicant shall prepare a plan identifying, when they are known, site/development-specific construction activities that will involve hazardous materials. The plan shall be prepared before construction activities begin that involve hazardous materials and shall discuss proper handling and disposal of materials used or produced onsite, such as petroleum products, concrete, and sanitary waste. The plan will also outline a specific protocol to identify health risks associated with the presence of chemical compounds in the soil and/or groundwater and identify specific protective measures to be followed by the workers entering the work area. If the presence of hazardous materials is suspected or encountered during construction-related activities, the project applicant will cause Mitigation Measure HAZ-1.2 to be activated.

As stipulated in the MASP/AASP EIR, the applicant shall prepare a plan identifying hazardous materials management practices as might be required by state and local laws and regulations regarding delivery, use, manufacture, and storage of any such regulated materials might be present on site for any operations-related activities. This plan would identify the proper handling and disposal of materials uses or produced onsite, such as petroleum products, concrete, and sanitary waste. By the filing of said Plan, the City Fire Department will be on notice to provide regular and routine fire and life-safety inspections to determine compliance with applicable health and safety codes.

According to the APCD the project site is a candidate area for NOA, which has been identified as a toxic air contaminant by the ARB. The project applicant is responsible for conducting a geologic evaluation of the area that will be disturbed to determine if NOA is present. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. If NOA is not present, an exemption request must be filed with the APCD.

**9. HYDROLOGY AND WATER QUALITY. Would the project:**

a) Violate any water quality standards or waste discharge requirements?	8, 24, 26			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (eg. The production rate of preexisting nearby wells would drop to a level which would not support existing land uses for which permits have been granted)?	8, 24, 26			X	
c) Create or contribute runoff water which would exceed the capacity of existing or planned storm-water drainage systems or provide substantial additional sources of polluted runoff.	23, 24, 26			X	
d) Substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation onsite or offsite?	23, 24, 26			X	





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e) Substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial flooding onsite or offsite?	23, 24, 26			X	
f) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	24, 26, 29				X
g) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	9, 24, 26, 29			X	
h) Will the project introduce typical storm water pollutants into ground or surface waters?	24, 26			X	
i) Will the project alter ground water or surface water quality, temperature, dissolved oxygen, or turbidity?	24, 26			X	

Evaluation

a) Grading and construction activities have the potential to discharge incidental sediment and construction related pollutants, such as petroleum products, into the Margarita Stormwater Basin. According to the MASP/AASP EIR, development associated with the project will require issuance of an NPDES general construction activity storm water permit by the Central Coast Regional Water Quality Control Board (RWQCB). Completion of this project would ensure that construction-related discharges are limited or adequately accommodated by properly engineered infrastructure design.

b) The City currently has water to allocate, and does so on a “first-come, first-served” basis. Water is allocated at the time building permits are issued and the Water Impact Fee is paid. Water will need to be provided by the City’s Utilities Department and it must be shown that supplying the project will not use or otherwise deplete groundwater resources or interfere with groundwater recharge. According to the MASP/AASP EIR, impacts on water resources were identified in the City General Plan EIR as a significant irreversible effect (Fugro 1993). The MASP and AASP would increase water demand by approximately 493,000 gallons per day (based on a per-capita water use rate of 145 gallons per day) and increase the demand for water and water distribution facilities in San Luis Obispo. This increase in water demand is similar to the increase anticipated in the City General Plan. Provisions in the City General Plan, the MASP, and AASP ensure that an adequate quantity of water will exist before any development is allowed. Additionally, the MASP and AASP include adequate distribution facilities as outlined in the facility master plans. Therefore, this impact is considered less than significant.

c), d), e) According to the MASP/AASP EIR, the proposed development of the site will increase the amount of impervious surfaces on the site and affect the absorption rate, drainage patterns, and the amount and rate of surface runoff. Site drainage will be evaluated with the grading plans as part of the Building Permit process and the project is subject to the revised City Storm Drain Master Plan/Waterway Management Plan that discusses the necessary improvements that would ensure adequate transmission and detention of storm water flow created by any new development and thus potential impacts resulting from increased development-related run-off was determined by the MASP/AASP EIR to be less than significant, and no mitigation required. The capacity of the storm drains in the area has been evaluated for their ability to handle the change in site drainage and characteristics for the Margarita area detailed in the Addendum and Update to Hydrologic and Hydraulic Analysis Report for the Margarita Area. The report has outlined the necessary upgrades to accommodate runoff of future development at the 100-year recurrence intervals, while releasing the pre-developed flow. To ensure that runoff levels will be equal to or less than existing levels, all storm water runoff will be contained in detention basins and drained at a rate not to exceed the 2-year undeveloped flow rate.

f), g) According to a preliminary project drainage report and hydraulic design prepared by Above Grade Engineering for this site it is uncertain what the flood elevation currently is. The report identifies discrepancies between the City Flood Map which indicates the area directly adjacent to the project site as not being in a flood zone while the County Flood Map illustrates the project site is within Flood Zone “A” which is subject to 100-year flooding. The report continues to note that the project site is not likely to be in an area of flooding because specific studies performed by FEMA within the City limits are more current than the overall flood map and the project will be built on 2-3 feet of fill from the expansion of the adjacent basin. If it is determined the project site is within a flood zone, the building design will need to comply with FEMA requirements and the City’s Flood Damage Prevention Ordinance. As no housing is included as part of the project, no housing will be subject to a



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100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, however conditions of approval are recommended to avoid potential impacts requiring that 1.) The final subdivision design and stormwater detention facility take into consideration the effects on the 100-year floodplain as mapped on the FEMA FIRM Panel prior to ground disturbing activities, 2.) Stormwater facilities be in compliance with City Waterways Management Plan requirements for Special Floodplain Management Zone and, 3.) The design of the stormwater facilities will be required to be such that it resolves historical flooding in this location of the site with no net loss of floodplain storage.

h), i) According to the MASP/AASP EIR, the project could potentially introduce typical storm water pollutants into ground or surface waters during construction activities and as a result of ongoing use of the project area. As a result, the development would require issuance of an NPDES general construction activity permit by the Central Coast RWQCB. Completion of this permit process would ensure that construction-related discharges were limited. Because ongoing use of the project area for commercial uses would also increase the potential for discharge of chemicals, oils and fuels, and waste into projected waterways, such as the Margarita Stormwater Basin and wetlands, the requirement for the implementation of Best Management Practices (BMPs) must be established to greatly reduce the potential for unwanted runoff.

**Conclusion**

No significant impacts have been identified with respect to water quality or hydrology. To ensure that potential drainage impacts are minimized to a level of insignificance, development of the site is required to be designed to meet all applicable City codes, including City grading and drainage standards, as described in the San Luis Obispo Building and Construction Code and Storm Drain Master Plan/Waterway Management Plan.

**10. LAND USE AND PLANNING - Would the project:**

a) Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?	1, 8, 21, 22, 24				X
b) Physically divide an established community?	1, 2, 10, 24				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plans?	6, 10, 24				X

**Evaluation**

- a) The project is consistent with the Margarita Area Specific Plan (MASP) and does not conflict with the Airport Land Use Plan.
- b) The project will not physically divide an established community since the project is a logical and orderly extension of the planned land uses and development that are already established within the surrounding area.
- c) The project will not conflict with any applicable habitat conservation plans or natural community conservation plans.

**Conclusion**

The project has been designed in compliance with the General Plan, MASP, Zoning Regulations, and the Airport Land Use Plan and will not create any impacts to land use and planning.

**11. NOISE. Would the project result in:**

a) Exposure of people to or generation of "unacceptable" noise levels as defined by the San Luis Obispo General Plan Noise Element, or general noise levels in excess of standards established in the Noise Ordinance?	4, 24, 26			X	
b) A substantial temporary, periodic, or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	4, 24			X	

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c) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	4, 10			X	
d) For a project located within an airport land use plan, or within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	10, 22, 26			X	

Evaluation

a), d) According to the MASP/AASP EIR, the proposed project is located in an area zoned for business land uses that are predicted to be exposed to traffic noise levels that exceed the Noise Element. The project site is also located within the projected 60 dB average airport noise contour indicated by the Airport Land Use Plan (ALUP) and a single event noise contour of 75 dB at ground level. The City's Noise Element limits all outdoor use areas to a maximum average noise level of 60 dB and the Margarita Area Specific Plan (MASP) regulates interior noise exposure to not exceed an average of 45 dB or 60 dB from an aircraft single event. The ALUP designates offices and office buildings as "moderately noise sensitive" land uses and are compatible inside the 60 dB airport noise contour with mitigation. The ALUP also indicates that the single event interior degree of noise attenuation required for the project is 15 dB (75-60) and that normal construction techniques are assumed to provide adequate noise attenuation at this degree. The project is required to be consistent with the MASP standards for road noise mitigation and outdoor noise reduction as well as subject to mitigation measures listed and adopted in the City's General Plan Noise Element. Conditions of approval require that measures contained in the City's Noise Guidebook and as determined by the qualified acoustic consultant shall be incorporated into the design of the buildings to ensure that noise impacts are reduced to achieve the performance thresholds set forth in the City's Noise Element. The MASP/AASP EIR indicates that without mitigation, impacts from noise would be significant but since the City's Noise Element requires implementation of noise mitigation measures for development of new noise-sensitive uses or noise sources, impacts from noise will be reduced to a less than significant level.

b), c) Site development will result in increases in ambient noise levels but not to significant levels because policies in the City's Noise Element regulate potential noise impacts. Noise increases that would affect ambient levels are to be reduced to thresholds determined to be acceptable in residential areas. Construction activities also generate noise, and may temporarily raise the ambient noise levels above acceptable levels for the duration of construction, including groundborne vibration and noise. Construction noise is regulated by the City's Noise Ordinance, which regulates time of construction and maximum noise levels that may be generated. The project would be required to meet the noise standards contained in the Ordinance, which includes limitations on the days and hours of construction.

Conclusion

Mitigation measures specified in the City's Noise Element, MASP, and the ALUP are sufficient enough to ensure noise exposure will not exceed City thresholds.

**12. POPULATION AND HOUSING. Would the project:**

a) Induce substantial population growth in an area, either directly (for example by proposing new homes or businesses) or indirectly (for example, through extension of roads or other infrastructure)?	1, 3, 10, 24			X	
b) Displace substantial numbers of existing housing or people necessitating the construction of replacement housing elsewhere?	3, 24				X

Evaluation

a) The project includes nearly 160,000 sq ft of office and light industrial which will likely create a significant amount of jobs and the extension of infrastructure congruous with the extension of Prado Road which may induce population growth. However, the project is located within the City's Urban Reserve Line which is an area identified by the General Plan that provides adequate capacity for new housing and employment up to the City's desired maximum.



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b) The project site is presently undeveloped land with no residential dwellings. As a result, housing and people will not be displaced by the project.

Conclusion

The population growth created by the project is considered to be less than significant since the development is consistent with General Plan policies and Zoning Regulation standards, and development of the project site has been accounted for in the population estimates contained in the City's General Plan.

**13. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision, or need, of new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

a) Fire protection?	8, 26			X	
b) Police protection?	8, 26			X	
c) Schools?	8, 26			X	
d) Parks?	8, 26			X	
e) Roads and other transportation infrastructure?	8, 26			X	
f) Other public facilities?	8, 26			X	

Evaluation

a), b), d), e), f) The MASP/AASP EIR determined that implementation and build out of the MASP will not result in any significant impacts related to any of the above-listed services due to the ability to off-set service needs through the City's Development Impact Fee program established via the City General Plan and augmented by the development fee program in MASP and concluded that no further mitigation was necessary. Additionally, the project will not result in substantial adverse physical impacts associated with the provision of, or need for, new or physically altered government facilities, the construction of which might have the potential to cause significant environmental impacts. In accordance with the MASP, the project is subject to City and MASP established Development Impact Fees that are charged in conjunction with approval of development projects to offset costs associated with increases in demand of public services.

c) The school districts in the state have the authority to collect fees at the time of issuance of building permits to offset the costs to finance school site acquisition and school construction, and are deemed by State law to be adequate mitigation for all school facility requirements. Any increases in demand on school facilities caused by the project are considered to be mitigated by the district's collection of adopted fees at the time of building permit issuance.

Conclusion

It is expected that the project will have a less than significant impact on the City's ability to provide public services.

**14. RECREATION. Would the project:**

a) Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	8, 21, 26			X	
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	21, 24				X

Evaluation

a) The build-out of the project will indirectly add to the demand for parks and other recreational facilities. The MASP has anticipated this demand by designating certain areas within the Plan area for "Sports Fields" (Damon-Garcia Ball Fields) and "Neighborhood Park" for active recreational use and other areas for "Open Space-Hills" or "Open Space-Riparian" for more passive recreation/aesthetic amenities (e.g. walking or bicycling paths and trails). The MASP/AASP EIR determined that while build-out of the MASP will generate increased demand for recreational facilities, the impact is less than significant due to the designation of more than the City required acreage of parks and open space. The MASP also specifies that developers



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will contribute to the construction of public park facilities through the payment of adopted City and MASP Park Improvement Fees to offset costs associated with increases in demand and services related to maintaining City-wide public park areas.

b) The project does not include the construction of recreational facilities designated by the MASP.

**Conclusion**

Park and recreation facility demands will increase but not significantly because of adopted City and MASP Park Improvement Fees and the MASP designates more than required park and open space areas.

**15. TRANSPORTATION/TRAFFIC. Would the project:**

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?	2, 26, 29, 32		X		
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads and highways?	2, 26, 29, 32		X		
c) Substantially increase hazards due to design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	26				X
d) Result in inadequate emergency access?	26				X
e) Result in inadequate parking capacity onsite or offsite?	8, 10, 24				X
f) Conflict with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	2, 26			X	
g) Conflict with the with San Luis Obispo County Airport Land Use Plan resulting in substantial safety risks from hazards, noise, or a change in air traffic patterns?	22, 26				X

**Evaluation**

a), b) The Circulation Plan of the MASP (as well as the Circulation Plan of the AASP and the Circulation Element of the City General Plan) identifies the essential primary road system that will be needed to accommodate development within the plan area and surrounding growth areas of the City at specified LOS thresholds. The MASP/AASP EIR determined that the roadway plans of these planning documents are for the most part self-mitigating in that 1.) Roadway alignments, road extensions, and new intersections are designed and will be built in response to traffic projected at build-out and, 2.) Development projects in the Airport and Margarita Specific Plan areas will also contribute their fair share either through adopted Traffic Impact Fees, MASP development impact fees, assessments or dedications to specified roadway improvements (EIR page 3D-29). The primary self-mitigating traffic feature of the MASP is the Plan's requirement that Prado Road be extended easterly, from its current terminus just east of South Higuera Street, all the way to Broad Street, thus providing a major new divided 4-lane east-west cross town arterial connector in the southerly area of San Luis Obispo. The project will be conditioned to provide build-out of Prado Road commensurate with the development of the site together with other developments, as required by the MASP and MASP/AASP EIR and as recommended by the City Public Works Department.

**Prado Road Extension**

The main issue with the review of this project related to the extension of Prado Road consistent with the MASP has been the sequence of development in the area and the expectation that the full roadway would be in place prior to the project site being developed. Table 13, Development and Facilities Links, of the MASP indicates that "Dedication of full right-of-way width and construction of Prado Road as a two-lane roadway through the Margarita Area" would occur prior to site development. Therefore, City staff prepared an analysis of the potential impacts of allowing the project to be developed with street improvements adjacent to the site, but not requiring the completion of the full Prado Road extension. (Attachment 1). This analysis was completed to determine if the existing road capacity as extended to service the site could adequately handle the increased traffic volumes from the project and if any other off-site mitigation may be necessary.

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The analysis concluded that the intersection of Prado Road/South Higuera should not experience any significant traffic LOS impacts if the 400 Prado Road subdivision is approved and occupied prior to the Prado Road extension being completed. However, the analysis also reviewed potential operation changes that may occur due to the increase in traffic volumes and current lane capacities. The analysis indicated there is a potential for the westbound left turn lane to fail (demand exceeds storage length) when the 400 Prado Road project is built. Based upon the projected new turn volumes the westbound left turn storage lane should be extended to a minimum of 200' to meet the new demand of the project and reduce the potential of turning traffic to queue into the adjacent through lane.

In addition to this modification, the increase in right-turn and left-turn traffic caused by the project will likely make the vehicle and pedestrian conflicts at the intersection worsen in the Baseline + Project condition. This condition can be mitigated in two ways. First, by retrofitting the existing pedestrian signal heads at the intersection (for the pedestrian crossings of Higuera Street) to the newer pedestrian countdown signals to help in separating out pedestrian and turning traffic. These signal heads have proven effective in reducing the conflicts between pedestrians and vehicles and should mitigate any potential impacts that may occur from the new development project.

Due to the high volume of left turns on Prado Road coming from the new development area, another project-related impact is accommodating protected/permissive left turn phasing in both the eastbound and westbound directions of Prado Road to help clear the left turn queues during signal phases.

**Conclusion:** Potentially Significant Unless Mitigation Incorporated.

**Mitigation Measure**

As part of public infrastructure improvements for the subdivision map the applicant shall:

- a. Modify the intersection of Prado Road/Higuera Street in order to lengthen the westbound left turn lane on Prado Road to a minimum of 200' of storage length.
- b. Install countdown pedestrian signal heads for the two South Higuera Street crossings.
- c. Modify the eastbound and westbound approaches of Prado Road to include protected/permissive left-turn signal phasing.
- d. The improvements shall include miscellaneous signing and striping modifications and potential installation/modification of traffic signal detection equipment for the approaches of Prado Road.

**Unocal Collector**

Table 13, Development and Facilities Links, of the MASP indicates that "Construction of the 'Unocal Collector' between Prado Road and the southerly boundary of the Margarita Area" would be a requirement of project site development. Project plans show the dedication and development of the collector road on the eastern side of the site consistent with the MASP to the southernmost access point to the project, but not to the southerly boundary of the Margarita Area.

Since the adoption of the MASP, there are two circumstances that affect the full development of the collector road adjacent to the site. The first is the discovery of additional wetland areas in the direct trajectory of the proposed roadway. The second is potential preferred alternative locations for a north-south collector road between Prado and Tank Farm Roads depending on the ultimate development plans for properties to the south of the site.

Section 10.10 of the MASP allows for "adjustments" to be approved along with the submittal of subdivision maps. The MASP defines an adjustment as a "minor change to precise features of the plan, where the resulting difference in development type or capacity is not significant and the change is clearly consistent with the intent of the specific plan". Given that the full development of the collector road adjacent to the site may not be ultimately desired based on future plans approved for adjacent development, the Community Development Director has determined that the proposal can be supported and qualifies as an adjustment that can be approved along with the tentative subdivision map.

**Conclusion:** Potentially Significant Unless Mitigation Incorporated.



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**Mitigation Measure**

An adjustment to the MASP shall be processed along with the tentative subdivision map for the project. A condition of approval shall preserve the potential for the extension of the collector road to the south through the full dedication of the needed right-of-way. The condition shall also require that a covenant agreement be executed to call for the future development of the extended roadway if determined to be desired in the future.

**South Higuera/Prado Intersection**

The project, as well as all other development that occurs in the future pursuant to the MASP, AASP, and the City General Plan will increase traffic in the area, but will not exceed established acceptable level of service (LOS) threshold (adopted at LOS "D" by the City General Plan) for San Luis Obispo as discussed in the MASP/AASP EIR, except for the Prado Road/South Higuera Street intersection. Resolution 9726-2005 Series, adopted by the City Council August 23, 2005, determined potential and proposed development circumstances had changed sufficiently in the Airport Area since the adoption of the MASP, such that Level of Service (LOS) at the intersection of Prado Road and South Higuera Street would decline from LOS "D" (as found in the MASP/AASP EIR) to LOS "E". Additional mitigation (T-2.1) was determined necessary to lessen the effects of the significant impact at this intersection, although the impact was concluded to be unavoidable. The added mitigation requires that the threshold for Transportation Demand Management (TDM) requirements shall be reduced to apply to employers with 25 or more employees.

c), d) The Margarita Area Specific Plan will require that the project provides roadways that are designed and developed in accordance with adopted city standards thereby assuring predetermined standards necessary to limit safety hazards and provide adequate emergency access.

e) Parking for the project is provided based on the provisions of the Margarita Area Specific Plan of no more than 1 space per 300 square feet. The project, which contains a total of 159,663 square feet, would require 532 spaces if all the spaces within the seven separate buildings were dedicated to office uses. Plans show that a total of 479 spaces will be provided, which is consistent with the 1:300 parking ration with a 10% shared parking reduction. In accordance with City standards, short-term bicycle racks have been provided for the public (24), and long-term bicycle storage has also been provided (72).

f) The MASP/AASP EIR identified certain secondary impacts to pedestrians and bicyclists that could result from road improvements needed to achieve vehicular flow at intersections noted in Table 3D-10. Such secondary impacts relate to increased crossing distances from road widening at intersections and introducing conflicts at intersections with multiple turning lanes. The MASP/AASP EIR notes such impacts can be adequately avoided by implementation of Mitigations Measures T-1.1 Design Features which, in summary, incorporate the following:

1. Sidewalks along both sides of all newly constructed streets and reconstructed streets,
2. Crosswalks (pursuant to the City's adopted "Pedestrian Crosswalk Guidelines-2000") at new and reconstructed intersections,
3. Pedestrian signals at all new and reconstructed signalized intersections, and
4. Class II bike lanes on all new and reconstructed streets per the City Bicycle Transportation Plan and MASP.

Payment of City adopted Traffic and Development Impact Fees will contribute to the construction intersection improvements at a later time to be determined by the City.

g) The MASP has already been found to not conflict with the San Luis Obispo County Airport Land Use Plan (ALUP). Therefore, as the subject project complies with the pertinent requirements of the MASP regarding allowed land uses and development densities and standards, the project is not in conflict with the ALUP.

**Conclusion**

The project, as part of the MASP, will cumulatively increase traffic which is substantial in relation to the existing traffic load



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and capacity of the street system but mitigation measures identified in the MASP/AASP EIR and identified mitigation measures contained in this initial study will reduce the significance of this impact. Additionally the Prado Road/South Higuera Street intersection will exceed a level of service standard established by the City for designated roads and highways and is considered a significant and unavoidable impact. A Statement of Overriding Conditions was prepared addressing that impact.

**16. UTILITIES AND SERVICE SYSTEMS. Would the project:**

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	7, 26				X
b) Require or result in the construction or expansion of new water treatment, wastewater treatment, or storm drainage facilities, the construction of which could cause significant environmental effects?	7, 26				X
c) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new and expanded water resources needed?	7, 26			X	
d) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand and addition to the provider's existing commitment?	7, 26				X
e) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	7, 25, 26				X
f) Comply with federal, state, and local statutes and regulations related to solid waste?	7, 25, 26				X

Evaluation

a), b) The MASP/AASP EIR determined that implementation and build-out of the MASP will not result in any significant impacts related to delivery of domestic water, wastewater collection or treatment, or storm water drainage/retention and concluded that such impacts related to build-out of the MASP were less than significant and no mitigation was deemed necessary. The project proposes to provide all water, sewer, and storm drain facilities necessary to adequately serve the subject project, including distribution, collection and other infrastructure capacity as required by the MASP facility master plan and the City's Storm Drain Master Plan/Waterway Management Plan. The project is also subject to City and MASP established Development Impact Fees that are charged in conjunction with approval of development projects to offset costs associated with off-site city-wide utility system impacts related to needed periodic maintenance and upgrades.

c) Provisions in the City General Plan and MASP ensure that an adequate quantity of water will exist before any development is allowed. The City has also adopted the Water Allocation Regulations to insure that increased water use by new development will not cause inadequate water service to existing and future customers. Section 17.89.030 of the Water Allocation Regulation states that a water allocation permit shall be required to obtain a connection to the city water system for a structure or facility not previously connected. This project is also subject to citywide water impact fees and the MASP-specific water add-on fees which were adopted to ensure that new development pays its share of constructing additional infrastructure needed to support additional facilities.

d) The City wastewater treatment plant and existing and proposed sewer lines in the vicinity and within the project site have sufficient capacity to serve the project site. The developer will be required to construct on-site sewer facilities according to the Uniform Plumbing Code standards. Impact fees are also collected when building permits are issued to pay for capacity at the City's Water Reclamation Facility. The fees are set to offset potential impacts associated with increases in demand and use by each new residential unit in the project.

e), f) Solid waste collection within the City will be provided by a private operator under a City franchise and disposal is expected to continue at Cold Canyon Landfill until 2018. The project must be consistent with the City's Source Reduction and Recycling Element which requires that recycling facilities be accommodated on the project site and a solid waste reduction plan for recycling discarded construction materials must be submitted with the building permit application. The project is also required by the ordinance to include facilities for recycling to reduce the waste stream generated by the project.





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The project will fully comply with existing federal, state, and local statutes and regulations related to solid waste.

**Conclusion**

No significant impacts have been identified relative to utilities or service systems.

**17. MANDATORY FINDINGS OF SIGNIFICANCE.**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	26			X	
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The project is consistent with the MASP. The MASP/AASP EIR address cumulative impacts resulting from the implementation of both specific plans and noted that with the application of proposed mitigation measures impacts would be reduced to a less-than-significant level for all environmental resources except for land use (loss of agricultural resources). A Statement of Overriding Considerations addresses significant and unavoidable impacts associated with the MASP.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)	26			X	
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The project is consistent with the MASP. The MASP/AASP EIR address cumulative impacts resulting from the implementation of both specific plans and noted that with the application of proposed mitigation measures impacts would be reduced to a less-than-significant level for all environmental resources except for land use. A Statement of Overriding Considerations addresses significant and unavoidable impacts associated with the MASP.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	26			X	
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The project is consistent with the MASP. The MASP/AASP EIR address cumulative impacts resulting from the implementation of both specific plans and noted that with the application of proposed mitigation measures impacts would be reduced to a less-than-significant level for all environmental resources except for land use. A Statement of Overriding Considerations addresses significant and unavoidable impacts associated with the MASP.

**18. EARLIER ANALYSES.**

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c) (3) (D). In this case a discussion should identify the following items:

a) **Earlier analysis used.** Identify earlier analyses and state where they are available for review.

In 2004 the City of San Luis Obispo certified an Environmental Impact Report (EIR) for the Margarita Area Specific Plan (MASP), the Airport Area Specific Plan (AASP) and the related Facilities Master Plan. The subject project lies within the boundaries of the MASP. Therefore, this prior MASP/AASP EIR evaluation considered impacts and mitigation related generally to potential development of the subject site and others pursuant to the MASP and related Facilities Master Plan. The prior MASP/AASP EIR, certified by the City Council along with the adoption of the MASP and Facilities Master Plan on October 12, 2004, by Resolution No. 9615 (2004 Series), contained a variety of mitigation measures to be incorporated as discrete components of the MASP or as policies or development standards to be implemented through site specific development proposals. Further on August 23, 2005, by Resolution No. 9726 (2005 Series), the City Council re-certified, with additional mitigation, the MASP/AASP EIR for the Airport Area Specific Plan (AASP), and adopted the Plan.

The California Environmental Quality Act (CEQA) allows Lead Agencies (the City) to use the analysis of general matters





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contained in a broader EIR, such as for a general or specific plan, with later EIRs or Negative Declarations on narrower projects; incorporating by reference the general discussions from the broader EIR, and concentrating the later EIR or Negative Declaration solely on the issues specific to the later project. The environmental assessment approach is referred to as "tiering".

The environmental analyses above for this project take into account the environmental conclusions of the prior EIR as they are applicable to the proposed site specific project. As such, mitigation measures adopted in the prior EIR that are applicable to the subject site-specific project, and therefore must be incorporated into the proposed project to effectively mitigate the prior identified impacts, are listed below. Some of these mitigation measures are verbatim from the prior EIR, others have been refined to more specifically clarify how they are applicable to the site specific project by way of Conditions of Approval, in order to be properly implemented.

The Airport Area and Margarita Area Specific Plans and Related Facilities Master Plans and Final Program EIR is available for review at the City of San Luis Obispo Community Development Department, City Hall, 919 Palm Street, San Luis Obispo, CA 93401.

**b) Impacts adequately addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

The MASP/AASP EIR was certified by the City Council on October 12, 2004, thereby determining that the EIR adequately analyzed the potentially significant impacts listed in Column No. 1 and that mitigation was required. One impact/mitigation originating from the Certified EIR for the AASP—Impact T-2 regarding Transportation Demand Management for exceeding LOS "D", is also applicable to the MASP. Column No. 2 indicates the status of impact after mitigation specified in the prior EIR. Column No. 3 indicates if there is a specific provision of the MASP that serves to implement or achieve the required mitigation. Column No. 4 indicates whether previously adopted EIR mitigation measures satisfactorily respond to the site specific project impacts or whether revised or new mitigation measures are proposed.

<u>MASP/AASP Identified Areas of Potential Impact</u>	<u>EIR- Areas of</u>	Impact After Mitigation	MASP Provision	Previous, Amended or New Mitigation Measure
<b>1.) Land Use and Aesthetics</b>				
- LU-7 Increased light & glare		L-T-S	Lighting Stnd. 3.3	
<b>3.) Biological Resources</b>				
- BIO-1 Conduct surveys		L-T-S	Open Space & Park	MM BIO 1.1
- BIO-6 Freshwater Marsh		L-T-S	Open Space & Parks	MM BIO 6.1
- BIO-9 Special-Status Plants		L-T-S	Open Space & Parks	MM BIO 9.1
- BIO-12 Non-listed Special-Status Wildlife		L-T-S	Open Space & Parks	MM BIO 12.1
- BIO-13 Calif. red-legged frog		L-T-S	Open Space & Parks	MM BIO 13.1
- BIO-17 Southwestern pond turtle		L-T-S	Open Space & Parks	MM BIO 17.1
<b>4.) Traffic and Circulation</b>				
- T-1 Secondary Impacts: Peds/Cyclists (MASP EIR)		L-T-S	off-site, not specified	
- T-2 LOS in Excess of LOS "D" (AASP EIR)		SU	Chapter 6, new standard	

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<b>5.) Air Quality</b>				
-AIR-1 Short-Term Constr'n Emiss.	L-T-S	not specified	Adopted mitigation measures AIR-1.1, 1.2, 1.3, and 2.1 a	
<b>6.) Noise</b>	L-T-S	Perf. Std. 4.2.E.		
<b>7.) Hazardous Materials</b>				
- HAZ-1 Construction Related	L-T-S	not specified		
- HAZ-2 Operations Related	L-T-S	not specified		
- HAZ-3 Accidental Releases	L-T-S	not specified		

Notes: SU=Significant & Unavoidable (Statement of Overriding Considerations adopted), L-T-S=Less than Significant

19. SOURCE REFERENCES	
1.	City of SLO General Plan Land Use Element, April 2006
2.	City of SLO General Plan Circulation Element, April 2006
3.	City of SLO General Plan Housing Element, April 2006
4.	City of SLO General Plan Noise Element, May 1996
5.	City of SLO General Plan Safety Element, July 2005
6.	City of SLO General Plan Conservation and Open Space Element, April 2006
7.	City of SLO Water and Wastewater Element, April 2006
8.	City of San Luis Obispo Municipal Code
9.	City of San Luis Obispo, Land Use Inventory Database
10.	Site Visit
11.	USDA, Natural Resources Conservation Service, Soil Survey of San Luis Obispo County
12.	Website of the Farmland Mapping and Monitoring Program of the California Resources Agency: <a href="http://www.consrv.ca.gov/dlrp/FMMP/">http://www.consrv.ca.gov/dlrp/FMMP/</a>
13.	Clean Air Plan for San Luis Obispo County, Air Pollution Control District, 2001
14.	CEQA Air Quality Handbook, Air Pollution Control District, 2003
15.	City of San Luis Obispo, Archaeological Resource Preservation Guidelines, on file in the Community Development Department
16.	City of San Luis Obispo, Historic Site Map
17.	City of San Luis Obispo Burial Sensitivity Map
18.	Phase 1 archaeological resources inventory report prepared by Thor Conway dated February 25, 2008.
19.	San Luis Obispo Quadrangle Map, prepared by the State Geologist in compliance with the Alquist-Priolo Earthquake Fault Zoning Act, effective January 1, 1990
20.	City of San Luis Obispo Community Design Guidelines
21.	Margarita Area Specific Plan, October 2004
22.	Airport Land Use Plan, May 2005
23.	Hydrologic and Hydraulic Analysis for the Margarita Area, October 2005
24.	Project Plans
25.	City of San Luis Obispo Source Reduction and Recycling Element, June 1994
26.	Margarita Area Specific Plan / Airport Area Specific Plan, and Final EIR



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27.	SLO Zoning Ordinance, 2007
28.	Unocal Martinelli Site Wetland Assessment Report, prepared by David Wolff Environmental, Oct 2004
29.	City Council Resolution #9726, 2005 Series
30.	APCD comments regarding the Prado Road Business Park, February 2008
31.	Soils Engineering Report Parcel 12, Prado Road, April 2007
32.	400 Prado Road Off-Site Traffic Assessment prepared by Deputy Director of Public Works Timothy Scott Bochum, dated 10-24-08.
33.	Biological Report prepared by Althouse & Meade, Inc. revised December 19, 2008.

## REQUIRED MITIGATION AND MONITORING PROGRAMS

### AESTHETICS MITIGATION

#### Reduction of Light and Glare

- The applicant shall submit an exterior lighting plan ensuring that lighting associated with the project shall not spill over the property lines and that light trespass shall be reduced by shielding lights and recessing light sources within fixtures. The lighting plan shall propose specific measures to limit the amount of light trespass associated with development within the project area including shielding and/or directional lighting methods to ensure that spillover light does not exceed one foot-candle at adjacent property lines and submit photometrics to substantiate this standard is met. The lighting plan shall be to the review and approval of the Architectural Review Commission.

- **Monitoring Program:**

The ARC will review development plans for the project. City staff, including Planning and other departments, will review plans to assure that all of the ARC's requirements related to lighting are compliant with the MASP provisions and have been incorporated into working drawings. City building inspectors will be responsible for assuring that all lighting is installed pursuant to the approved lighting plan.

### AIR QUALITY MITIGATION

#### Operational Phase Mitigation

- In order to mitigate air quality impacts associated with this project the applicant must implement the following measures:
  - Mitigation Measures AIR 1.1, 1.2, 1.3, and AIR 2.1 from the MASP/AASP EIR.
  - Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
  - Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
  - Provide preferential carpool and vanpool parking spaces.
  - Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.
  - Increase the building energy efficiency rating by 10% above what is required by Title 24 requirements. This can be accomplished in a number of ways (increasing attic, wall, or floor insulation, installing double pane windows, using efficient interior lighting, etc.).
  - Implement all feasible Discretionary and Greenhouse Gas Mitigation Measures (but no less than 10) provided in the letter from APCD dated February, 2008.



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- Monitoring Program:

The applicant is required to include the required to implement all of the APCD's Standard Mitigation Measures and at least 10 Discretionary and Green house Gas Mitigation Measures to the approval of the Community Development Department and the APCD. No construction work may commence before said mitigation has been approved by the City and APCD.

**BIOLOGICAL RESOURCES MITIGATION**

3. Implement the following Mitigation Measures from the MASP/AASP EIR:
  - a. BIO 1.1, conduct surveys to determine presence of wetlands and/or sensitive species (already completed);
  - b. BIO 6.1, minimize impacts to wetland habitat and prepare and implement a wetland habitat mitigation plan, to the satisfaction of the Natural Resources Manager, California Department of Fish and Game, and U.S. Army Corps of Engineers;
  - c. BIO 9.1, mitigate for impacts to sensitive plant species (Congdon tarplant) to the satisfaction of the Natural Resources Manager;
  - d. BIO 12.1, conduct preconstruction surveys to determine presence of burrowing owl, and, if found, prepare and implement a protection and mitigation plan to the satisfaction of the California Department of Fish and Game;
  - e. BIO 13.1, provide training for construction personnel to recognize and protect California red-legged frogs; and
  - f. BIO 17.1, provide training for construction personnel to recognize and protect southwestern pond turtle.

To accomplish the above, a City-approved biological monitor shall be retained by the project sponsors to oversee implementation of the described mitigations and other protective measures.

- Monitoring Program:

Prior to the onset of construction, the wetland habitat mitigation plan, mitigation for the Congdon tarplant, surveys for the burrowing owl, and training for construction personnel shall be completed or in progress to the satisfaction of the Natural Resources Manager.

**CULTURAL RESOURCES MITIGATION**

4. If excavations encounter significant paleontological resources, archaeological resources or cultural materials, then construction activities which may affect them shall cease until the extent of the resource is determined and appropriate protective measures are approved by the Community Development Director. The Community Development Director shall be notified of the extent and location of discovered materials so that they may be recorded by a qualified archaeologist. If pre-historic Native American artifacts are encountered, a Native American monitor should be called in to work with the archaeologist to document and remove the items. Disposition of artifacts shall comply with state and federal laws.

- Monitoring Program:

Requirements for cultural resource mitigation shall be clearly noted on all plans for project grading and construction.

**GEOLOGY AND SOILS MITIGATION**

Reduction of Geotechnical Concerns

5. The applicant shall incorporate the recommendations included in the Soils Engineering Report for Parcel 12 Prado Road prepared by GeoSolutions Inc. into final project plans and specifications.



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- Monitoring Program:

The applicant is responsible for incorporating the recommendations presented in the Soils Engineering Report prepared by GeoSolutions into the project plans and specifications to the approval of the Community Development Department. No site preparation or construction work may commence before project plans have been approved by the City.

## **HAZARDS AND HAZARDOUS MATERIALS MITIGATION**

### **Preparation and Implementation of a "Construction-Related Hazardous Materials Management Plan"**

6. As stipulated in the MASP/AASP EIR, the applicant shall prepare a plan identifying, when they are known, site/development-specific construction activities that will involve the hazardous materials. The plan shall be prepared before construction activities begin that involve hazardous materials and shall discuss proper handling and disposal of materials used or produced onsite, such as petroleum products, concrete, and sanitary waste. The plan will also outline a specific protocol to identify health risks associated with the presence of chemical compounds in the soil and/or groundwater and identify specific protective measures to be followed by the workers entering the work area. If the presence of hazardous materials is suspected or encountered during construction-related activities, the project applicant will cause Mitigation Measure HAZ-1.2 to be activated. Mitigation Measure HAZ-1.2 states:

*"The project proponent will complete a Phase I environmental site assessment for each proposed public facility (e.g. streets and buried infrastructure). If Phase I site assessments indicate a potential for soil and/or groundwater contamination within or adjacent to the road or utility alignments, a Phase II site assessment will be completed. The following Phase II environmental site assessments will be prepared specific to soil and/or groundwater contamination.*

*a. **Soil Contamination.** For soil contamination, the Phase II site assessment will include soil sampling and analysis for anticipated contaminating substances. If soil contamination is exposed during construction, the San Luis Obispo Fire Department (SLOFD) will be notified and a work plan to characterize and possibly remove contaminated soil will be prepared, submitted and approved.*

*b. **Groundwater Contamination.** For groundwater contamination, the Phase II assessment may include monitoring well installation, groundwater sampling, and analysis for anticipated contaminating substances. If groundwater contaminated by potentially hazardous materials is expected to be extracted during dewatering, the SLOFD and the Central Coast RWQCB will be notified. A contingency plan to dispose of contaminated groundwater will be developed in agreement with the SLOFD and Central Coast RWQCB.*

- Monitoring Program:

The "Construction-Related Hazardous Materials Management Plan" will be required to be submitted to the City Community Development Department and Fire Department for review prior to commencement of any site preparation or construction work involving hazardous materials. No site preparation or construction work may commence before said plan has been approved by the City. Any site work commenced without City approval of said Plan will be subject to "Stop Work" (cease and desist) orders as may be issued under the authority of the City Fire Department.

### **Preparation and Implementation of an "Operations-Related Hazardous Materials Management Plan"**

7. As stipulated in the MASP/AASP EIR, the applicant shall prepare a plan identifying hazardous materials management practices as might be required by state and local laws and regulations regarding delivery, use, manufacture, and storage of any such regulated materials might be present on site for any operations-related activities. This plan would identify the proper handling and disposal of materials uses or produced onsite, such as petroleum products, concrete,



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and sanitary waste. By the filing of said Plan, the City Fire Department will be on notice to provide regular and routine fire and life-safety inspections to determine compliance with applicable health and safety codes.

- **Monitoring Program:**

The "Operations-Related Hazardous Materials Management Plan" will be required to be submitted by a project applicant to the City Community Development Department and City Fire Department for review prior to the establishment of any operations-related activities.

Conduct a Geologic Evaluation to Determine if NOA is Present

8. According to the APCD the project site is a candidate area for NOA, which has been identified as a toxic air contaminant by the ARB. The project applicant is responsible for conducting a geologic evaluation of the area that will be disturbed to determine if NOA is present. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. If NOA is not present, an exemption request must be filed with the APCD.

- **Monitoring Program:**

The geologic evaluation will be required to be submitted by a project proponent to the City Community Development Department and APCD for review prior to any grading activities. If NOA is found at the site the Asbestos ATCM shall include an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program subject to the approval of the APCD.

**TRANSPORTATION/TRAFFIC MITIGATION**

Impacts to the South Higuera & Prado Road Intersection

9. As part of public infrastructure improvements for the subdivision map the applicant shall:
  - a. Modify the intersection of Prado Road/Higuera Street in order to lengthen the westbound left turn lane on Prado Road to a minimum of 200' of storage length.
  - b. Install countdown pedestrian signal heads for the two South Higuera Street crossings.
  - c. Modify the eastbound and westbound approaches of Prado Road to include protected/permissive left-turn signal phasing.
  - d. The improvements shall include miscellaneous signing and striping modifications and potential installation/modification of traffic signal detection equipment for the approaches of Prado Road.

- **Monitoring Program:**

Compliance with the required mitigation measures shall be reflected on the plans for project grading and construction and shall be completed to the satisfaction of the Public Works Director prior to City issuance of a certificate of occupancy for the project.

Unocal Collector

10. An adjustment to the MASP shall be processed along with the tentative subdivision map for the project. A condition of approval shall preserve the potential for the extension of the collector road to the south through the full dedication of the needed right-of-way. The condition shall also require that a covenant agreement be executed to call for the future development of the extended roadway if determined to be desired in the future.

- **Monitoring Program**



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The required adjustment to the MASP will be reviewed by the Planning Commission with their consideration of the tentative tract map and either approved or denied by the City Council with their final action on the tract map. Community Development and Public Works staffs would insure that a condition of approval attached to the tract map included a requirement for the full dedication of the needed right-of-way. The required covenant agreement would be executed along with the review of the final tract map and improvement plans.

Preparation and Implementation of "Traffic Reduction Program"

11. In order for MASP/AASP EIR Mitigation Measure T-2.1 adopted with the certification of the MASP/AASP EIR in conjunction with the approval of the AASP in August, 2005 (Ref. City Council Resolution No. 9726, 2005 Series) to be brought forward to this site specific project stage, a transportation demand management program that demonstrates reduction of peak period travel by single-occupant vehicles shall be required of any employer within the subdivision with 25 or more employees. Said program shall incorporate all reasonably feasible measures or techniques, including those listed in the MASP/AASP EIR/General Plan Circulation, that encourage alternate modes other than single-occupant vehicles as the primary mode of transportation to the workplace and to travel during non-peak times.

- **Monitoring Program:**

Each business owner, upon employment of 25 or more employees, shall immediately prepare and submit, obtain approval from the City Public Works Director and implement the provisions of a Traffic Reduction Plan which demonstrates reduction of peak period travel consistent with requirements of the City General Plan Circulation Element Policies and Programs. City Staff shall periodically inspect the business to observe and assure that reduction techniques approved by the City are in place and adhered to by the business. Staff shall take any corrective or enforcement actions authorized by law to achieve compliance.

**Attachments:**

Attachment 1: 400 Prado Road Off-Site Traffic Assessment prepared by Deputy Director of Public Works Timothy Scott Bochum, dated 10-24-08 (without appendices, which are available in the project file)



PUBLIC WORKS DEPARTMENT

955 MORRO ST. 93401-3208

October 24, 2008

TO: Jay D. Walter, Director of Public Works

FROM: Tim Bochum, Deputy Director of Public Works

SUBJECT: 400 Prado Road Off-Site Traffic Assessment

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I have completed the assessment of off-site potential impacts of the 400 Prado Road subdivision. This analysis focuses specifically on the intersection of Prado Road/South Higuera Street to determine if additional mitigation is required as part of the project or, if the connection of Prado Road between South Higuera and Broad Street needs to be completed prior to issuance and occupancy of the project.

The analysis indicates that the project does not, in and of itself, require the connection of Prado Road between South Higuera and Broad Street.

However, the project will have a potentially significant impact at the intersection of Prado Road/South Higuera due to the amount of Westbound left turns that are added to the intersection. The following condition of approval needs to be included for the project to address potential impact and maintain intersection operations at an acceptable level of service. All other fees, installation of subdivision infrastructure improvement requirements and timing of said improvements should remain the same.

1. As part of public infrastructure improvements for the subdivision map the develop/applicant shall:
  - a. Modify the intersection of Prado Road/Higuera Street in order to lengthen the Westbound left turn lane on Prado Road to a minimum of 200' of storage length.
  - b. Install countdown pedestrian signal heads for the two South Higuera Street crossings.
  - c. Modify the eastbound and westbound approaches of Prado Road to include protected/permissive left-turn signal phasing.
  - d. The improvements shall include miscellaneous signing and striping modifications and potential installation/modification of traffic signal detection equipment for the approaches of Prado Road.



## BACKGROUND

A commercial/industrial subdivision has been submitted for the property located at 400 Prado Road. The subject property is contained within the Margarita Specific Plan Area and must comply with the provisions and requirements of the MASP document. The project seeks discretionary approval to build up to 160,000 sq. ft. of business park type development under a commercial subdivision and isolated building permit issuance process.

The City has previously given discretionary approvals to three other subdivisions located within the vicinity of the 400 Prado Road project. All three of these projects are also contained within the MASP area and have received conditions of approval for each of their subdivisions. Two of the subdivisions (Cowan/French and Deblauw) are mixed-use subdivisions consisting of a mixture of residential and office/business land use designations.

This assessment reviews potential impacts of the 400 Prado Road subdivision project at the intersection of Prado Road/South Higuera Street under the scenario that the Prado Road extension between South Higuera and Broad Street is not completed prior to occupancy of the subdivision.

## NEED AND PURPOSE

### **A. Problems, Deficiencies**

Based upon review of the size of the 400 Prado Road subdivision project and its location at the west end of the MASP area, staff has determined that the extension of Prado Road between South Higuera and Broad Street may not be necessary prior to building of the 400 Prado Road project. This approach is commensurate with orderly development principles of proper land use and growth objectives and meets objectives of the City in allowing development to proceed if appropriate infrastructure exists to support the development.

However, because the MASP assumed that the Prado Road extension would be completed prior to the 400 Prado Road project seeking approval and currently contains language to that effect, an assessment of potential impacts of allowing the development to occur prior to the completion of Prado Road extension needs to be done to determine if other off-site mitigation may be necessary.

This analysis specifically focuses on the intersection of Prado Road/South Higuera Street to determine if mitigation is required by the 400 Prado Road project.

#### Assumptions

This analysis studies six scenarios for the intersection:

- Existing AM
- Existing AM + Baseline
- Existing AM + Baseline + Project

- Exiting PM
- Existing PM + Baseline
- Exiting PM + Baseline + Project

Existing conditions include traffic and pedestrian counts recorded at the intersections in late 2007 as part of the City's annual traffic volume counting program.

The Baseline conditions include a forecast approximately 5 years out with a conservative 1% ambient background traffic volume growth and the potential commercial trip generation at the intersection that may occur from the Cowan/French and Deblauw subdivisions that are currently approved and seeking building permits and subdivision finalization.

Traffic due to residential components of the Cowan/French and Deblauw project are not included in the baseline because the conditions of approval for those projects set the stage for implementation of the Prado Road extension tied to the number of building occupancies (both commercial and residential) and it is believed that due to the current economy and residential market, that the residential components may occur past the five year forecast of this study.

The Project assumptions include buildout of the 400 Prado Road project up to the 160,000 sq. ft. allowed by the MASP.

Trip Generation for AM and PM peaks periods for each of the projects in contained in the appendix of this report.

Trip distribution for AM and PM peak periods are contained in the appendix of this report.

Table 1 depicts existing and forecast Levels Of Service (LOS) for the intersection of Prado Road/South Higuera Street for the six scenarios analyzed.

**TABLE 1**  
**Existing and Projected LOS**

Intersection	Existing (2007)		Existing + Baseline		Baseline + Project	
	AM LOS	PM LOS	AM LOS	PM LOS	AM LOS	PM LOS
Prado Road/South Higuera	B	B	B	B	B	B
Intersection Delay	10.2	12.9	12	14.8	14.8	17.5
Worst Movement	SBL (C)	NBL (C)	SBL (C)	NBL (C)	SBL (D)	WBL (C)
Wb Turn Storage Needed	100	100	100	100	110	200

The City's traffic analysis software program (Synchro) was used to determine forecast LOS for each scenario and potential increase to intersection delay by the various projects under consideration.

The analysis indicated that the intersection of Prado Road/South Higuera should not experience any significant traffic LOS impacts if the 400 Prado Road subdivision is approved and occupied prior to the Prado Road extension being completed.

However, the analysis also reviewed potential operation changes that may occur due to the increase in traffic volumes and current lane capacities. The analysis indicated there is a potential for the westbound left turn lane to fail (demand exceeds storage length) when the 400 Prado Road project is built.

Based upon the projected new turn volumes the westbound left turn storage lane should be extended to a minimum of 200' to meet the new demand of the project and reduce the potential of turning traffic to queue into the adjacent through lane.

In addition to this modification, the increase in right turn and left turn traffic caused by the project will likely make the vehicle and pedestrian conflicts at the intersection worsen in the Baseline + Project condition. This condition can be mitigated in two ways. First, by retrofitting the existing pedestrian signal heads at the intersection (for the pedestrian crossings of Higuera Street) to the newer pedestrian countdown signals to help in separating out pedestrian and turning traffic. These signal heads have proven effective in reducing the conflicts between pedestrians and vehicles and should mitigate any potential impacts that may occur from the new development project.

Secondly, due to the high volume of left turns on Prado Road coming from the new development area, protected/permissive left turn phasing will be necessary in both the eastbound and westbound directions of Prado Road to help clear the left turn queues during signal phases.

### CONDITION

Based upon the analysis, the following condition of approval should be included as part of the project approval process to help mitigate potential impacts:

1. As part of public infrastructure improvements for the subdivision map the develop/applicant shall:
  - a. Modify the intersection of Prado Road/Higuera Street in order to lengthen the Westbound left turn lane on Prado Road to a minimum of 200' of storage length.
  - b. Install countdown pedestrian signal heads for the two South Higuera Street crossings.

- c. Modify the eastbound and westbound approaches of Prado Road to include protected/permissive left-turn signal phasing.
- d. The improvements shall include miscellaneous signing and striping modifications and potential installation/modification of traffic signal detection equipment for the approaches of Prado Road.

All other previously discussed on and offsite mitigation and conditions of approval for the project should remain in effect.