2-1

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

Promoting the wise use of land
Helping build great communities

MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
February 18, 2005 LOCAL EFFECTIVE DATE March 4, 2005 APPROX FINAL EFFECTIVE DATE March 25, 2005	Martha Neder, AICP, Planner (805) 781-4576	Jerry and Kathy Stukenberg	DRC2004-00127

SUBJECT
Request by Jerry and Kathy Stukenberg for a Minor Use Permit/Coastal Development Permit to allow the construction of an addition to a single family residence and attached garage resulting in 1,868 square feet of footprint, 2,364 square feet of gross structural area, and 404 square feet of TDCs. The project will result in the disturbance of approximately 600 square feet of 6,428 square foot parcel. The proposed project is within the Residential Single Family land use category and is located at 692 Randall Drive, Lodge Hill, in the community of Cambria. The site is in the North Coast planning area.

RECOMMENDED ACTION
Approve Minor Use Permit/Coastal Development Permit DRC2004-00127 based on the findings listed in Exhibit A and the conditions listed in Exhibit B

ENVIRONMENTAL DETERMINATION
A Class 1 Categorical Exemption was issued on January 18, 2005 (ED04-316)

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Residential Single Family	Terrestrial Habitat/Local Coastal Program/Archaeologically Sensitive	023-172-056	2

PLANNING AREA STANDARDS:
Setbacks, Height, Footprint and Gross Structural Area Limitations
Does the project meet applicable Planning Area Standards: Yes - see discussion

LAND USE ORDINANCE STANDARDS:
Local Coastal Program, Archaeologically Sensitive and Terrestrial Habitat
Does the project conform to the Land Use Ordinance Standards: Yes - see discussion

FINAL ACTION
This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing.

The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.

EXISTING USES: Single Family Residence	
SURROUNDING LAND USE CATEGORIES AND USES: *North:* Residential Single Family *East:* Residential Single Family *South:* Residential Single Family *West:* Residential Single Family	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: The project was referred to: North Coast Advisory Council, Public Works, Cambria Community Services District, and the California Coastal Commission	
TOPOGRAPHY: Moderately sloping	VEGETATION: Grasses, forbs, Monterey pine trees, and Coast live oak trees
PROPOSED SERVICES: Water supply: CCSD Sewage Disposal: CCSD Fire Protection: Cambria Fire	ACCEPTANCE DATE: January 18, 2005

PLANNING AREA STANDARDS:
Lot Size: 6428 square feet
Triple, Forested
Oversized lot adjustment: 1.22

Slope: approx 18 percent
Number of trees to be removed: 0
Base: 1,200 sq ft footprint, 2,400 sq ft GSA

PROJECT REVIEW	ALLOWABLE	EXISTING	PROPOSED	STATUS
FOOTPRINT (SQUARE FEET)	1,200 x 1.22 = 1464	1425	1868	OK with 404 TDCs
GSA (SQUARE FEET)	2,400 x 1.22 = 2928	1900	2364	OK
DECKS (SQUARE FEET)				
PERVIOUS	448	170	170	OK
IMPERVIOUS	146	175	175	OK w/TDCs
HEIGHT (FEET)	28	28	28	OK
SETBACKS (FEET)				
FRONT	15'	15'	15'	OK (James Road)
REAR	10'	10'	10'	OK (Randall Drive)
SIDE	5'	5'	5'	OK
STREET SIDE	10'	N/A	N/A	OK

LAND USE ORDINANCE STANDARDS:
The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

COASTAL PLAN POLICIES: This project is in compliance with the Coastal Plan Policies, the most relevant policies are discussed below.

***Public Works*:**

Policy 1: Availability of Service Capacity applies to the project. *The proposed project is consistent with this policy because impact fees have been paid for the one bathroom addition.*

Coastal Watersheds:

Policy 7: Siting of new development*: The proposed project is consistent with this policy because the residence is located on an existing lot of record in the Residential Single Family category on a site with slopes of less than 20 percent.*

Policy 8: Timing of new construction: *The proposed project is consistent with this policy because if grading is to occur or left unfinished between October 15 through April 15 the project is required to have an erosion and sedimentation control plan and all sedimentation and erosion control measures will be in place before the start of the rainy season.*

Policy 10: Drainage Provisions: *The proposed project is consistent with this policy because the project is required to have a drainage plan that shows the construction of the new residence will not increase erosion or runoff.*

Hazards:

Policy 1: New Development: *The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.*

Policy 2: Erosion and Geologic Stability: *The proposed project is consistent with this policy because it is designed to ensure structural stability while not creating or contributing to erosion of geological instability.*

Environmentally Sensitive Habitats:

Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: *The proposed project is consistent with this policy because it will not significantly disrupt the habitat and tree removal and site disturbance have been minimized.*

Policy 2: Permit Requirement: *The proposed project is consistent with this policy because there will be no significant impact on sensitive habitats and proposed development will be consistent with the biological continuance of the habitat.*

Policy 3: Habitat Restoration: *No trees will be removed*

Policy 27: Protection of Terrestrial Habitats: *The proposed project is consistent with this policy because not allowing an addition to a single family residence or residential accessory uses (principally permitted uses in the Residential Single Family land use category) could potentially constitute a taking under the 5th Amendment of the US Constitution. Therefore, allowing a single family residence or residential accessory use to be developed on the property is considered to be a reasonable use of the land (pursuant to Section 30010 of the Coastal Act).*

Policy 28: Protection of Native Vegetation: *The proposed project is consistent with this policy because tree removal and site disturbance have been minimized.*

Policy 33: Protection of Vegetation: *The proposed project is consistent with this policy because tree removal and site disturbance have been minimized through project design.*

Visual and Scenic Resources:

Policy 7: Preservation of Trees and Native Vegetation: *The proposed project is consistent with this policy because tree removal and site disturbance have been minimized through project design.*

Archaeology:

Policy 4: Preliminary Site Survey: *The parcel is in an archeologically sensitive area. No resources were found in the preliminary site survey (C.A. Singer & Associates; January 10, 2005)*

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: No comment

AGENCY REVIEW:
Public Works - No concerns
Cambria Community Services District – Applicant has paid impact fee for a one-bathroom addition
North Coast Advisory Council - No comment

LEGAL LOT STATUS:
The lot was legally created by a recorded map at a time when that was a legal method of creating lots. Cambria Pines Tract 8 Block 215 Lots 2 through 4 were merged into Voluntary Merger M03-171 Parcel 1.

Staff report prepared by Martha Neder and reviewed by Matthew Janssen

EXHIBIT A - FINDINGS

CEQA Exemption

A. The project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines Section 15301 because the project is an addition to a single-family residence.

Minor Use Permit

B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.

C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.

D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.

E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.

F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

Terrestrial Habitat

H. The project or use will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because tree removal has been minimized and if trees are removed or impacted they will be replaced.

I. Natural features and topography have been considered in the design and siting of all proposed physical improvements, because the proposed structure has been designed to minimize tree removal and site disturbance.

J. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because tree removal and site disturbance have been minimized.

K. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff, because, as conditioned, the project or use meets drainage and erosion control standards specified by the County Public Works Department.

L. There will be no significant negative impact to the identified sensitive habitat and the project or use will be required to replace removed oaks and pines on a four-to-one basis and two-to-one basis respectively.

M. The project or use will not significantly disrupt the habitat, because it is an addition to a single-family residence with minimal site disturbance.

Archaeology

N. The project design and development incorporates adequate measures to ensure protection of significant archaeological resources because no indications of prehistoric resources or early historic archaeological resources were found during the preliminary surface survey.

TDC's

O. Adequate instruments have been executed to assure that lot(s) to be retired will remain in permanent open space and that no development will occur because the applicant will provide verification that the retired lot(s) have been transferred to the Land Conservancy of San Luis Obispo County.

P. The "receiver" site can accommodate the proposed scale and intensity of development without the need for a variance (Section 23.01.045), exception to height limitations (Section 23.04.124b) or modification to parking standards (Section 23.04.162h), because, as conditioned, the project or use meets Coastal Zone Land Use Ordinance and Land Use Element requirements.

Q. The circumstances of the transfer are consistent with the purpose and intent of the applicable planning area programs and standards regarding transfer of development credits.

Public Works Policy 1

R. Adequate public service capacities are available to serve the proposed development because the applicant has paid impact fees for the one bathroom addition to the service provider for the area, Cambria Community Services District.

EXHIBIT B - CONDITIONS OF APPROVAL

Authorized Use

1. This approval authorizes the construction of an addition to a single-family residence with approximately 1,868 square feet of footprint, 2,364 square feet of gross structural area, and 404 square feet of TDCs.

2. All permits shall be consistent with the approved Site Plan, Floor Plans, and Elevations.

Conditions to be completed prior to issuance of a construction permit

Grading, Drainage, Sedimentation and Erosion Control

3. **Prior to issuance of construction permits,** if grading is to occur between October 15 to April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.

4. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan for review and approval by the County Public Works Department.

Fire Safety

5. **Prior to issuance of a construction permit,** the applicant shall provide the county Department of Planning and Building with a fire safety plan approved by the Cambria Fire Department.

Cambria Community Services District

6. **Prior to issuance of a building permit,** the applicant shall apply for a remodel of existing service and pay impact fees to the CCSD.

Landscape Plan

7. **Prior to issuance of construction permit**, the applicant shall submit for Planning Director review and approval, a Landscape Plan that provides for the planting of all open areas of the site disturbed by project construction with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. In addition, non-native, invasive, and water intensive (e.g. turf grass) landscaping shall be prohibited on the entire site.

Transfer of Development Credits

8. **Prior to issuance of construction permits,** provide written verification from the Land Conservancy of San Luis Obispo County that 404 square feet of Gross Structural Area has been transferred from a parcel within a special project area to the subject property.

Miscellaneous

9. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Conditions applicable throughout project construction

Building Height

10. The maximum height of the project is 28 feet from average natural grade.

    A. **Prior to any construction**, a licensed surveyor or registered civil engineer shall first file with the Building Official certification of compliance with the flood hazard elevation requirements, and shall then stake the lot corners, building corners, and establish average finished grade and set a reference point (benchmark).

    B. **Prior to approval of the foundation inspection,** the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.

    C. **Prior to approval of the roof-nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Grading, Drainage, Sedimentation and Erosion Control

11. All runoff from impervious surfaces such as roofs, driveways, walks, patios, decks, shall be collected and detained on-site, or passed on through an effective erosion control devise or drainage system approved by the County Engineer.

12. Permanent erosion control devises shall be installed prior to or concurrently with on-site grading activities.

13. Grading, filling or site disturbance of existing soil and vegetation shall be limited to the minimum areas necessary.

14. Stockpiles and other disturbed soils shall be protected from rain and erosion by plastic sheets or other covering.

15. All areas disturbed by grading activities shall be revegetated with temporary or permanent erosion control devises in place.

Archaeology

16. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

    A. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

    B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Cambria Community Services District

17. Existing water fixtures shall be retrofitted to current standards under District Ordinance 3-88 as amended.

18. The owners shall provide the District with a copy of county building permit issued for this project.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Fire Safety

19. **Prior to occupancy or final inspection,** which ever occurs first, the applicant shall obtain final inspection and approval from Cambria Fire Department of all required fire/life safety measures.

Cambria Community Services District

20. Applicant shall submit for final plumbing inspection upon completion of the project.

Miscellaneous

21. **Prior to occupancy of any structure associated with this approval,** the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

22. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050. This permit is generally considered to be vested once a building permit has been issued and

substantial site work has been completed. Substantial site work is defined (Section 23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').

23. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.

MUP 2-11 6

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

RECEIVED DEC 23

THIS IS A NEW PROJECT REFERRAL

DATE: 12/21/04

FROM: PW

FROM: Coastal
(Please direct response to the above)

Stukenberg
DRC2004-00127
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCHBOARD FOR THE PLANNER

PROJECT DESCRIPTION: MUP -> Addition / Remodel existing SFR. Off Randall Dr., Cambria. APN: 023-172-056.

Return this letter with your comments attached no later than: 1/17/04

PART I — IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

✓ YES (Please go on to Part II)
____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II — ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

✓ NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III — **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.**

RECOMMEND APPROVAL - NO CONCERNS

11 JAN 2005 — Date
GOODWIN — Name
5252 — Phone

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MLN 2-18 6

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

RECEIVED

VICTOR HOLANDA, AICP
DIRECTOR

DEC 2 ...

CAMBRIA COMMUNITY SERVICES

THIS IS A NEW PROJECT REFERRAL

DATE: 12/21/04

TO: CCSD - Wels

FROM: Coastal
(Please direct response to the above)

Stukenberg
DRC2004-00127
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNER

PROJECT DESCRIPTION: MUP -> Addition / Remodel existing SFR. Off Randall Dr., Cambria. APN: 023-172-056.

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PART III **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.**

Applicant has paid impact fee for 1-bathroom addition.

— OK —

12/29/04
Date

Joyce Hannum
Name

927-6225
Phone

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Revised 4/4/03

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.slocoplanbldg.com

CAMBRIA COMMUNITY SERVICES DISTRICT
1316 Tamson Drive, Suite 201 • P.O. Box 65 • Cambria CA 93428
Telephone (805) 927-6223 • FAX (805) 927-5584

CONFIRMATION OF WATER & SEWER AVAILABILITY FOR REMODEL or TRANSFER OF EXISTING ACTIVE SERVICE.

Applicant(s): **Jerry & Kathy Stukenberg**
692 Randall Dr.
Cambria, CA 93428

Date: December 7, 2004

Service Location: **692 Randall Drive**
APN 023.172.056

Current Service type: **X Single Family**
____ Multi-Family # units
____ Commercial EDUs

Project description: Adding master bedroom, full bath and bay window.

Sewer and Water Impact Fees:				Approval Conditions	Required if X'd:	Done:
No chargeable fixtures. Plan Review Fee only		$25	$	**All Existing and New** water fixtures must meet current standards under Title 4 of District Code.	X	
1	Additional Toilet(s)	@ $400	$400	Owner must provide District with a copy of county **building permit** issued for this project.	X	
1	Additional Tub, Shower or Laundry	@ $800	$800	Applicant must work with Cambria Fire Department to determine water meter size requirement to serve this project (if applicable).	X	
1	Additional Kitchen or Bathrm Sink(s)	@ $400	$400	Applicant must call for final plumbing **inspection** upon completion of project. **PLEASE CALL 927-6240 FOR INSPECTION.**	X	
	Additional Bar or Utility Sink(s)	@ $200	$	Requires **PARCEL MERGER** to allow water service to adjacent lot.		
Date Paid: 12/7/04		TOTAL Fee:	**$1600.**	*Under District regulations, said remodel **must not change the existing water service status of the property by creating additional separate dwelling units.*** **WARNING! GUEST ROOMS MAY NOT BE RENTED AS A SEPARATE LIVING UNIT.**		

The undersigned has reviewed the plans provided to the County for a Permit to remodel the above property. County requires written assurance that water and sewer service is available from the Cambria Community Services District.

*Said **Project is Authorized With Conditions** as indicated above*

by: Joyce Hannum, Permits & Conservation Specialist

CC: Fire Prevention Officer

FOR DISTRICT USE

Existing Approved Fixtures:

Toilets	3
Tubs and/or Showers	2
Kitchen & Lavatory Sinks	4
Laundry Washer	1
Bar or Utility Sinks	1

Retrofit Code: RS12/01

☐ Bldg. Permit received

☐ Final Inspection date: _____

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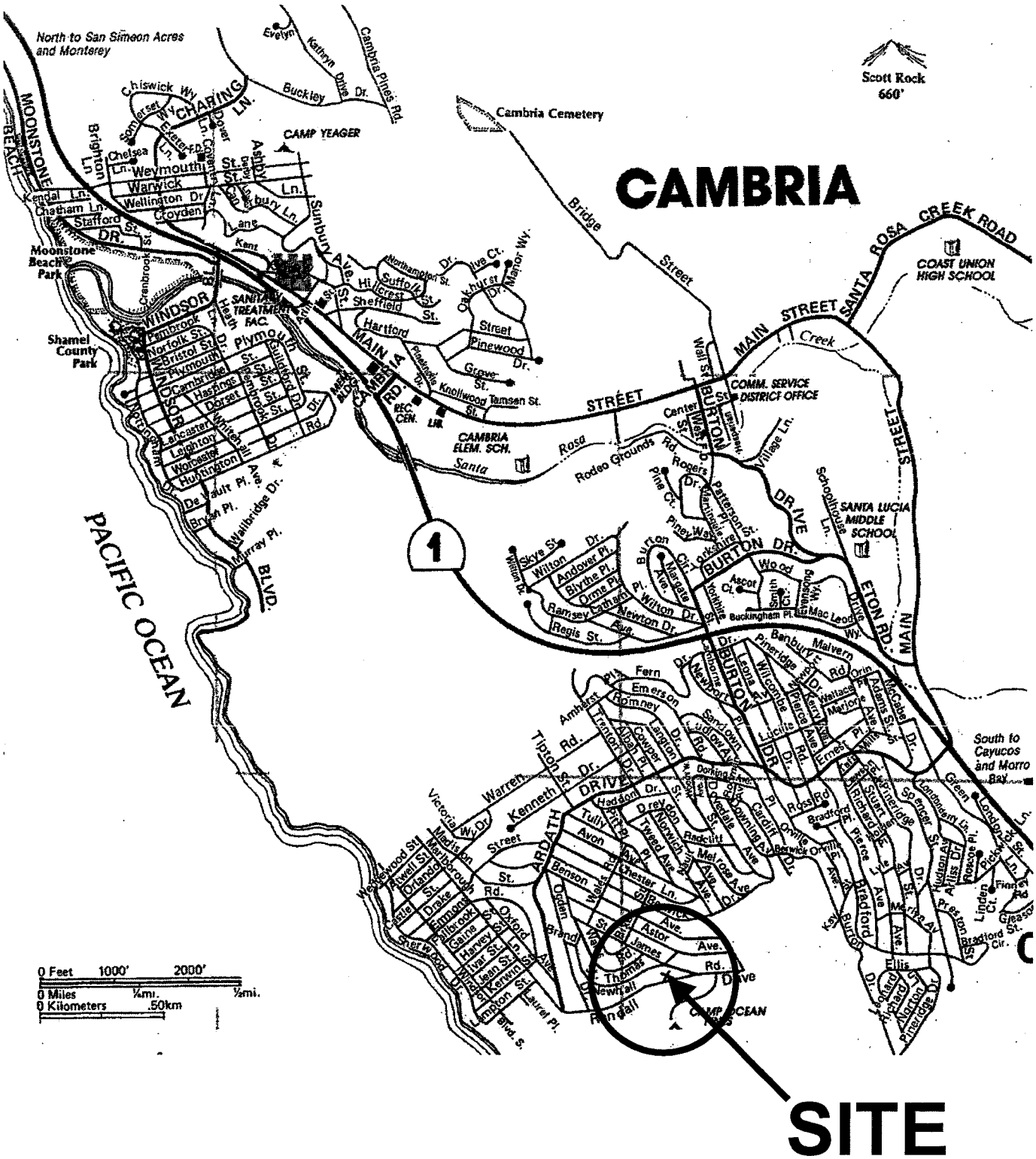
LAND USE NCAC JANUARY 2005

DRC2004-00105/CAL PARKS&REC	REMOVE TREES NO COMMENT
DRC2004-00089/HOGAN	CHANGES TO SFR NEEDS TDCS
DRC2004-00093/CCSD	WATER TANKS NO COMMENT
DRC2004-00126/NICHOLAS	CHANGES TO SFR NO COMMENT
DRC2004-00125/SDS TRUST	RECONSIDER MUP NO COMMENT
DRC2004-00115/CICHOWSKI	COSTRUCT GARAGE NO COMMENT
D010346P/OBER	REVISION TO SFR PLANS NO COMMENT
DRC2004-123/TIEMAN	NEW SFR NO COMMENT
DRC2004-127/STOKENBERG	REMODEL AND ADD NO COMMENT
DRC2004-132/KIRBY	GARAGE AND STUDIO NO COMMENT
DRC2004-00116/MILLER	NEW SFR NO COMMENT

2-15

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



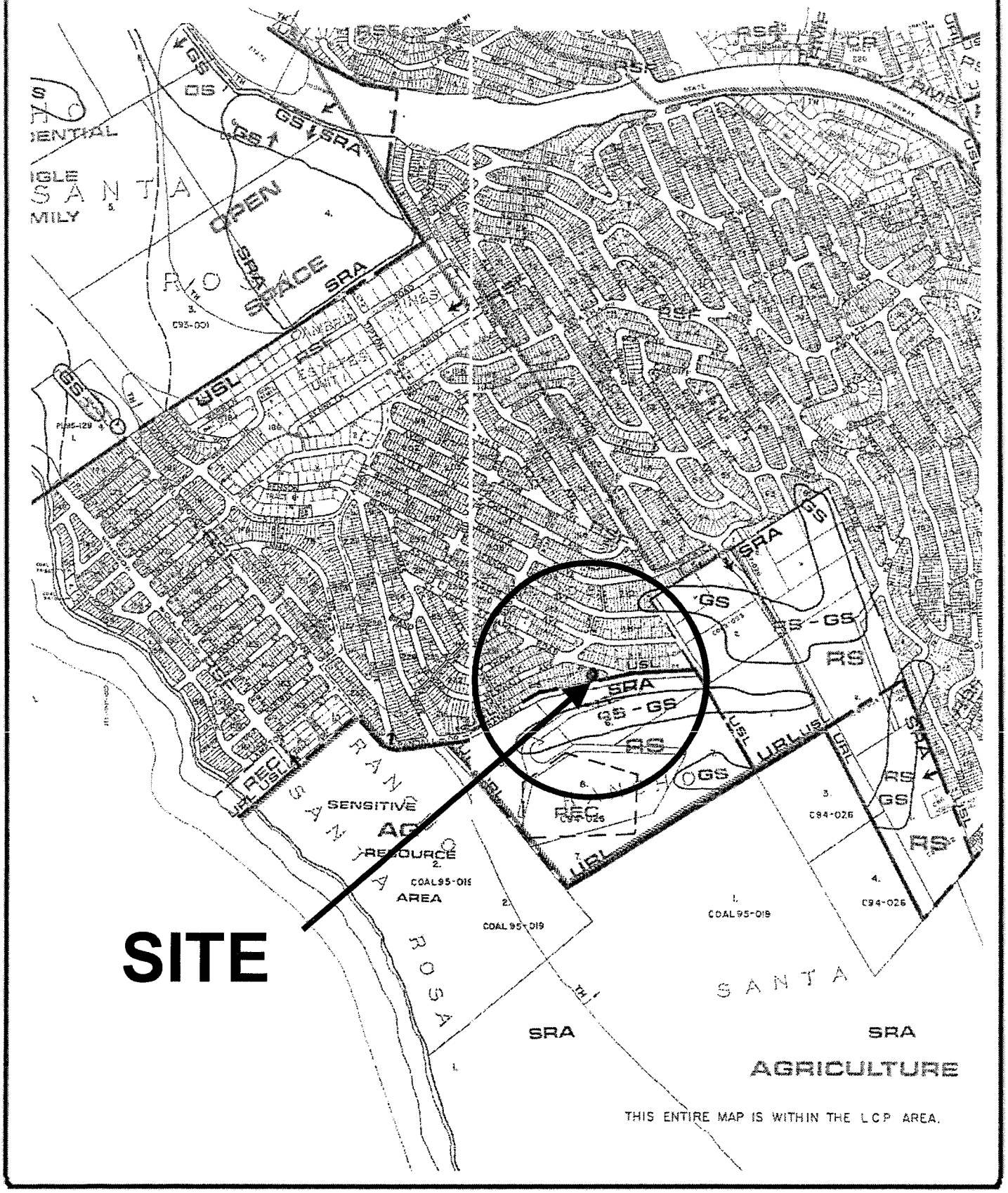
PROJECT

MINOR USE PERMIT
STUKENBERG DRC2004-00127

EXHIBIT

VICINITY MAP

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

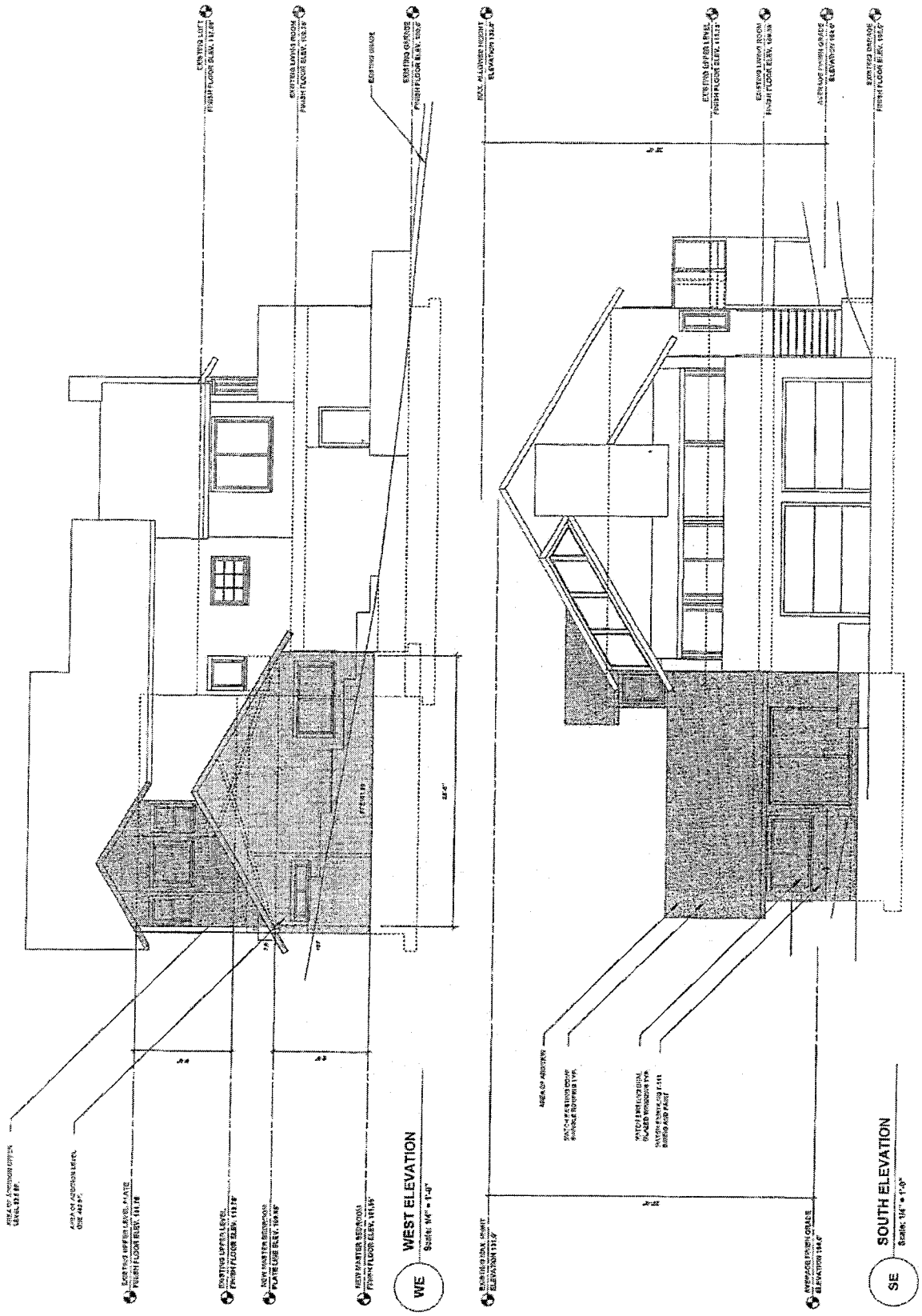
MINOR USE PERMIT
STUKENBERG DRC2004-00127

EXHIBIT

LAND USE CATEGORY MAP

2-17

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

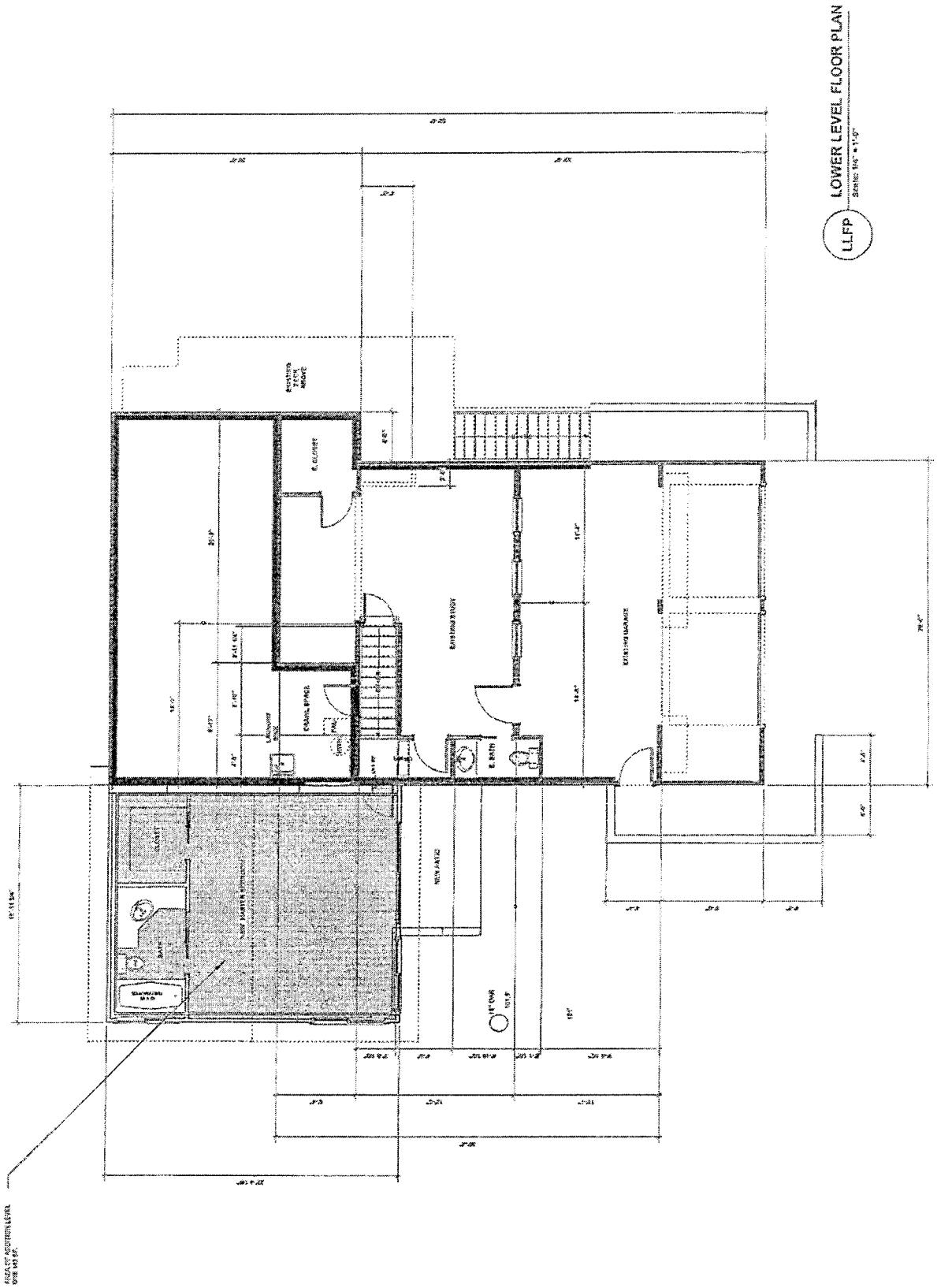
MINOR USE PERMIT
STUKENBERG DRC2004-00127

EXHIBIT

WEST/SOUTH ELEVATION

2-18

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



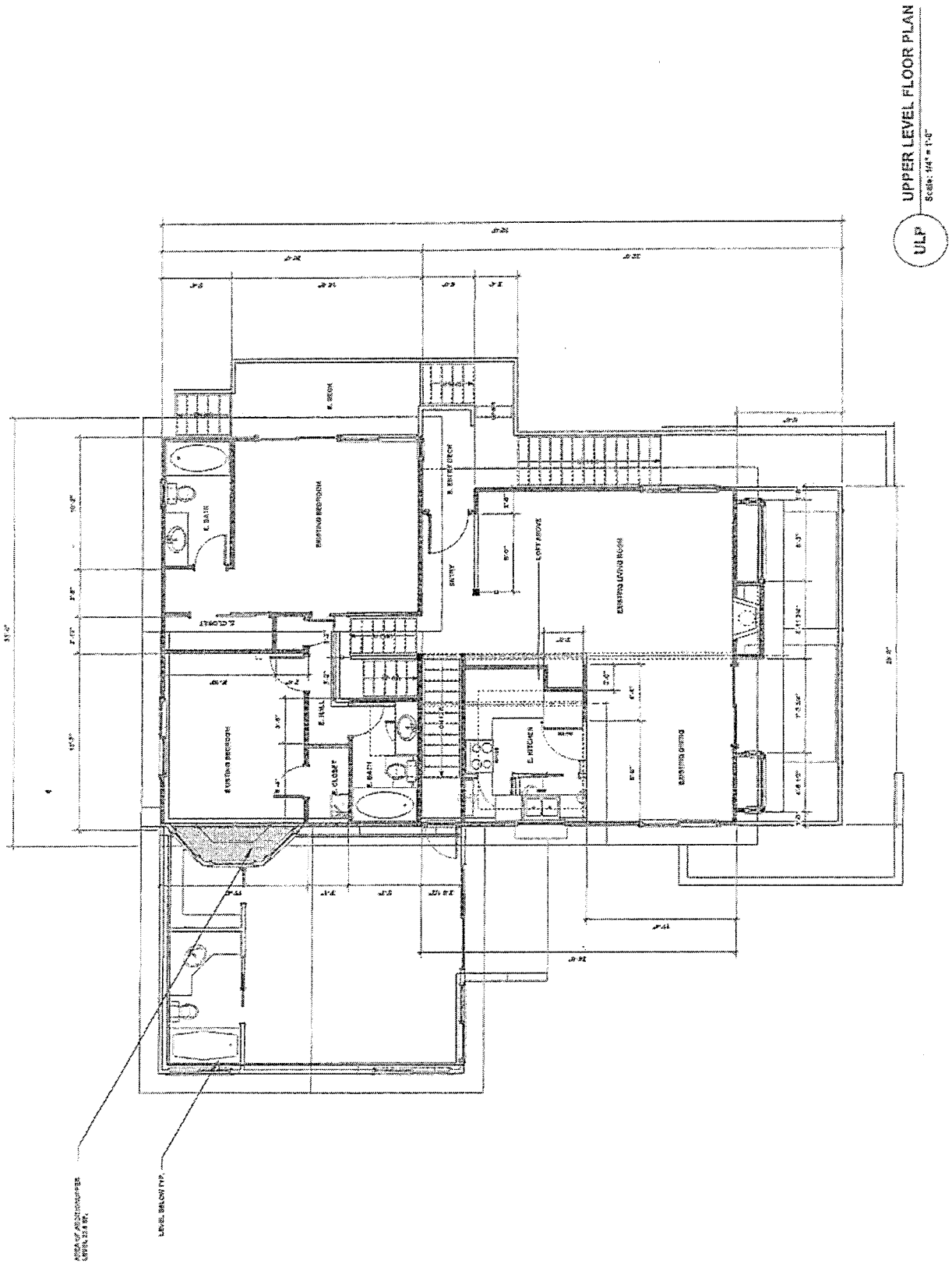
PROJECT

MINOR USE PERMIT
STUKENBERG DRC2004-00127

EXHIBIT

LOWER LEVEL FLOOR PLAN

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

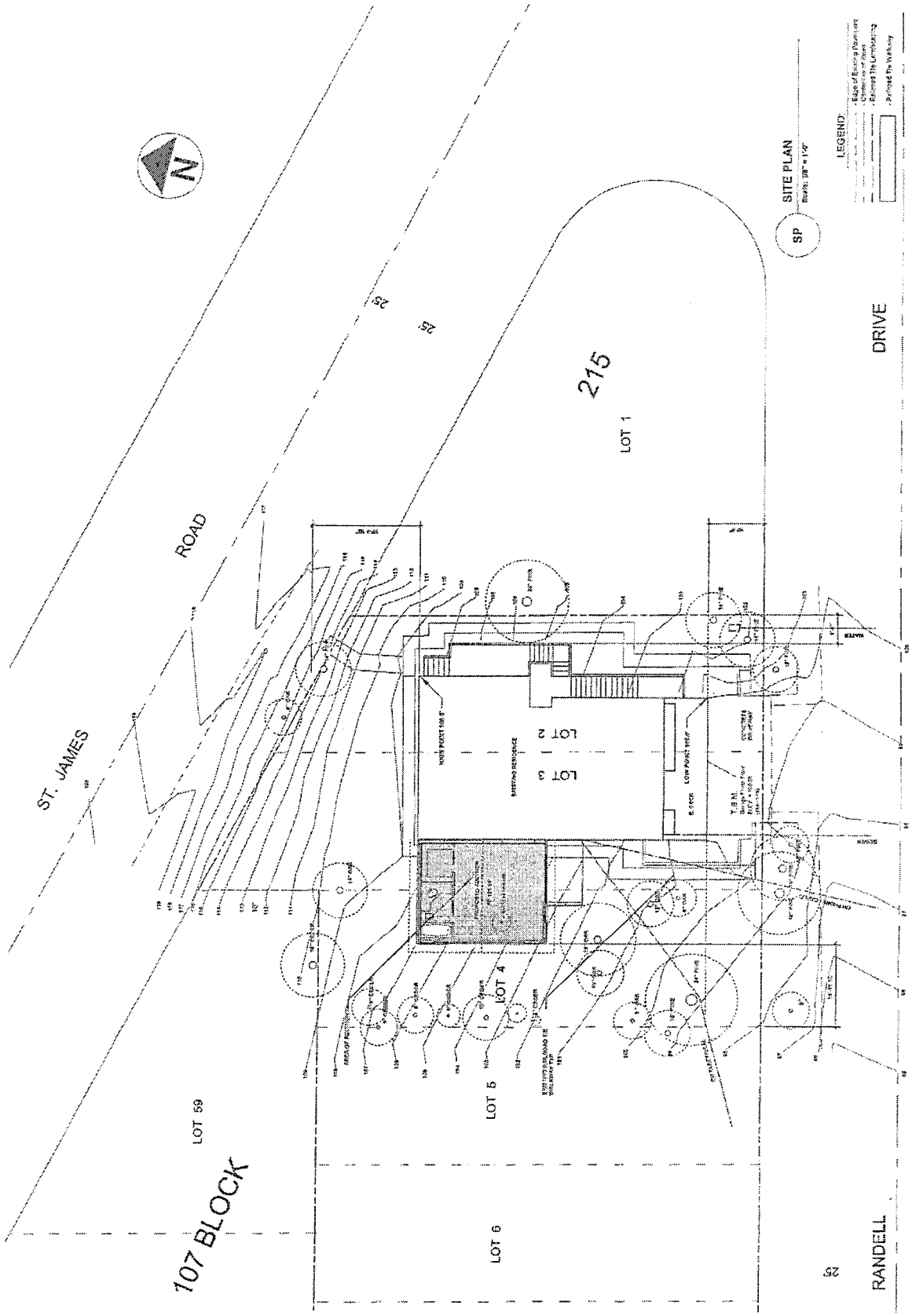
MINOR USE PERMIT
STUKENBERG DRC2004-00127

EXHIBIT

UPPER LEVEL FLOOR PLAN

2-20

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

MINOR USE PERMIT
STUKENBERG DRC2004-00127

EXHIBIT

SITE PLAN