

**TO: JAMES L. APP, CITY MANAGER**

**FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR**

**SUBJECT: APPEAL OF PLANNING COMMISSION'S DECISION TO APPROVE PD 04-017 (SERENADE AND DEER PARK RESIDENTS)**

**DATE: JUNE 21, 2005**

Needs: To consider an appeal filed by Tim and Brenda Sullivan on behalf of Serenade and Deer Park Residents, appealing the Planning Commission's decision to approve Planned Development 04-017.

Facts:

1. Planned Development 04-017, in conjunction with the previously approved Tentative Tract 2611 and Rezone 04-008, would allow for the development of a 45-lot single family residential subdivision.
2. The Planning Commission at their meeting on May 24, 2005, approved Planned Development 04-017 on a 4/3 Vote.
3. As approved by the Planning Commission, PD 04-017 allows the following deviations to the standard zoning code requirements for the upper 7-acre portion of the site:
  - a. Allow setbacks in accordance of the Phase I Setback Matrix (attached), the DRC may allow changes on a lot by lot basis as long as there is a minimum 5-foot interior side yard setbacks for both one and two story homes;
  - b. The applicant shall make efforts to retain a 20-foot rear yard setback for the house on Lot 21. If because of the oak tree on the lot, a 20-foot setback can not be obtained without impact to the tree, the DRC may approve a reduction in the rear yard setback of no less than 15-feet. An arborist may need to be involved with the house placement on this lot.
  - c. Allow retaining walls between two side yards to extend beyond 4-feet to no higher than 5 feet;
  - d. Allow the reduction in lot sizes to a minimum of 4,500 square feet;
  - e. Allow the use of pad grading without the requirement to have setbacks to slopes and retaining walls from property lines unless required by building codes;
  - f. To allow the use of model homes for the project; and
4. On May 31, 2005, the City received an application for an Appeal of the Planning Commissions May 24, 2005 action to approve PD 04-017. The reason for the appeal is summarized below (see attached letter of appeal): The focus of concern is the number of single story homes and the setbacks for the homes.
5. In response to the Appeal, Centex homes and North Coast Engineering submitted material including:
  - a. Cross Sections Exhibits (Lots 4, 6-8, 14, 15, 17-19)
  - b. Brahma Street Grading Exhibit
  - c. Setback Matrix (for both Serenade and Centex)
  - d. Useable Rear Yard Comparison (between Serenade and Centex)
  - e. Lot Size Summary (Between Serenade, Centex and Deer Park)
  - f. Product Comparison (Between Serenade, Centex and Deer Park)
  - g. Photos, Setback Exhibit (Centex)
  - h. Master Grading Plan (Serenade)

Analysis and  
Conclusion:

Since the zoning and subdivision have previously been approved, the Planned Development is the only policy issue before the City.

It appears that the main issues that the Serenade residents have with the proposed Tract 2611/PD 04-017 is the number of two story homes and the request to allow reduced setbacks for two story homes.

North Coast Engineering on behalf of Centex Homes has provided a list of exhibits comparing the proposed Centex Tract (2611/PD 04-017) to the Serenade Tract (2611) as well as the Deer Park Estates (Tract 1771). They have provided cross sections to show relationship between the Centex project and Serenade, setback tables, photographs, lot sizes, as well as a product comparison (one vs. two story homes).

The City Council may wish to consider the following:

- The property that is now the subject of PD 04-017 was established in the General Plan with the principle of being an extension of the Serenade development.
- The City did provide flexibility with regard to setbacks for the Serenade development (please see the attached Tract 2311 setback summary). The Serenade Tract does have many homes, including one and two story homes that have 5-foot side yard setbacks. The difference would be that the second story of the Serenade homes appears to be setback an additional 5-feet, so that the full two story wall is not at the 5-foot setback. No setback reductions were approved for Deer Park Estates (Tract 1771).
- The Serenade and the Deer Park developments have a mix of one and two story homes, and there is no established City Policy that limits the number or ratio of one and two story homes.
- Although neighborhood compatibility is clearly a PD issue, the Planning Commission/ City Council is not required to preserve what neighboring property owners perceive to be "their views". There are no recorded easements to protect views from the Serenade Tract.
- The Council may also wish to consider whether it would be reasonable to restrict PD 04-017 from two story homes in areas where there are two-story homes in the Serenade tract.

Policy  
Reference:

California Environmental Quality Act (CEQA); General Plan Land Use and Circulation Elements; Zoning Ordinance.

Fiscal  
Impact:

Whether PD 04-017 is approved or not, it would not have a fiscal impact, since with the approval of Tract 2611 each lot of this subdivision will be required to be incorporated into a Community Facilities District (CFD) with the intent of achieving fiscal neutrality for the new residential entitlements. Approval of provisions to establish a CFD will be necessary to allow this project to proceed in a manner envisioned in the adopted General Plan.

- Options:
- A.** Adopt Resolution No. 05-xx upholding the Planning Commission's decision to approve PD 04-017, and deny the Serenade and Deer Park Residents request of appeal.
  - B.** Adopt Resolution No. 05-xx denying Planning Commission decision to approve PD 04-017, as requested by the Serenade and Deer Park Residents, and require Centex Homes to revise PD 04-017 to add additional single story homes and to present a proposal with increased setbacks.
  - C.** Amend, modify, or reject the foregoing options.

Attachments:

1. Vicinity Map
2. Letter of Appeal by Serenade and Deer Park Residents
- 3a-h Cross Sections
4. Brahma Street Grading Exhibit
5. Tract 2611, Phase I – Setback Exhibit
- 6a, b Tract 2311 – Setback Exhibit
- 7a, b Useable Rear Yard Exhibit
8. Lot Size Summary
9. Product Comparison
- 10a-d Photos
11. Resolution denying the appeal, approving PD 04-017 as approved by the Planning Commission on May 24, 2005
12. Resolution appealing PD 04-017 as requested by the Serenade and Deer Park Residents
13. Newspaper and Mail Notice Affidavits

RESOLUTION NO. 05-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
UPHOLDING THE PLANNING COMMISSION'S DECISION TO  
APPROVE PLANNED DEVELOPMENT 04-017  
(J.M. WILSON DEVELOPMENT)  
APN: 009-815-002

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WHEREAS, Tract 2611, an application filed by North Coast Engineering on behalf of J.M. Wilson Development to divide an 11 acre parcel into twenty (45) single-family residential lots; and

WHEREAS, Tract 2611 is located at 1650 South River Road; and

WHEREAS, in conjunction with Tract 2611, the applicant submitted an application for Rezone 04-008, to change the Zoning designation of the lower property from R1,B3 to R1,PD-4, and change the Zoning designation of the upper property from R1,B3 to R1,PD-6 and establish Planned Development Overlay zoning over the site; and

WHEREAS, PD 04-017 has been filed to establish the design criteria for the subdivision, with the intent that the project continue the same character as the neighboring Serenade project; and

WHEREAS, an Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) and a Negative Declaration was approved by the Planning Commission on November 23, 2004, and

WHEREAS, the Planning Commission at their meeting on December 14, 2004, approved Tentative Tract 2611 on a 4/2 vote and on a 5/1 vote recommended that the City Council approve Rezone 04-008; and

WHEREAS, the Planning Commission did not approve Planned Development 04-017 based on what seemed to be primarily architectural related reasons related to the development proposed on the upper 7-acres of the site; and

WHEREAS, the applicant filed and appeal of the Planning Commission's action to not approve PD 04-017 to the City Council; and

WHEREAS, on January 4, 2005, the City Council reviewed the appeal request, and on a 5/0 vote denied the applicants request to appeal, thereby upholding the Planning Commission's decision to not approve PD 04-017, furthermore, the Council directed the applicant to redesign the project and resubmit it to be reviewed by the Planning Commission, incorporating the following design elements:

- Incorporate the use of one story homes in the project, especially for those lots that back up or side against existing Serenade lots;
- Design lots/homes to allow for adequate side yard setbacks for two story homes;
- Explore the possibility of providing a decorative masonry wall at appropriate locations, along the southern boundary of the tract adjacent to Oxen Court;

- ☑ Develop a landscape plan to provide a landscape buffer, where appropriate, within the rear/side yards of those lots that would be adjacent to the existing Serenade lots.

WHEREAS, the applicant resubmitted plans that incorporated the use of a one story model into the project, the model would be placed on 13 out of the 39 lots; and

WHEREAS, at the April 26<sup>th</sup> meeting, the Commission continued the item to the meeting on May 24, 2005, to allow the applicant time to redesign the plan in order to take into consideration the results of a Planning Commission discussion on three key policy issues:

- A. A wall on the south project boundary;
- B. Location of 2-story buildings;
- C. Minimum setbacks; and

WHEREAS, Centex Homes has submitted a revised development plan that has introduced single story homes on lots 2 and 4, which results in all single story homes on lots 1-5; and

WHEREAS, Centex Homes has presented a matrix outlining the actual setbacks of each house on each lot; and

WHEREAS, on May 24, 2005, the Planning Commission on a 4/3 vote approved Planned Development 04-017; and

WHEREAS, on May 31, 2005, Brenda and Tim Sullivan on behalf of "Serenade and Deer Park Residents" filed an application of appeal of the May 24, 2005 Planning Commission decision to approved PD 04-017; and

WHEREAS, the focus of concern of the appeal is the number of single story homes and the setbacks for the homes; and

WHEREAS, based upon the facts and analysis presented in the staff reports, public testimony received and subject to the conditions of approval listed below, the City Council makes the following findings:

1. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16A (Planned Development Overlay District Regulations) as follows:
  - a. The granting of this permit will not adversely affect the policies, spirit and intent on the general plan, applicable specific plans, the zoning code, policies and plans of the City;
  - b. The proposed project is designed is to be sensitive to, and blend in with, the character of the site and surrounding area;
  - c. The proposed project's design and density of developed portion of the site is compatible with surrounding development and does not create a disharmonious or disruptive element to the surrounding area;
  - d. The development would be consistent with the purpose and intent of this chapter and would not be contrary to the public health, safety and welfare;

- e. The upper 7-acres of the proposed project is proposed to be consistent with the Serenade subdivision, with similar lot sizes and grading techniques.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles, does hereby approve Planned Development 04-017 subject to the following conditions:

**STANDARD CONDITIONS:**

- 1. The project shall comply with all conditions of approval contained in the resolution granting approval to Tentative Tract 2611, Rezone 04-008 and the associated exhibits.

**SITE SPECIFIC CONDITIONS:**

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

- 2. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

EXHIBIT	DESCRIPTION
A	Tentative Tract Map
B	Preliminary Grading and Drainage Plan
C-1, C-2	Architectural Site Plan & Setback Matrix for lots 1-36
D1-D7	Conceptual Model Homes
E	Building Envelope for Lot 40
F	Building Envelope for Lot 41

\*Full size plans are on file with the Community Development Department

- 3. This Planned Development 04-017 coincides with Tentative Tract Map 2611 and Rezone 04-008 and authorizes the subdivision of approximately 11-acres into a maximum of 45 single family residential lots ranging from approximately 4,500 square feet to 14,456 square feet in size.
- 4. PD 04-017 has been approved to allow the following deviations to the standard zoning code requirements for the upper 7-acre portion of the site:
  - a. allow setbacks in accordance of the Phase I Setback Matrix (Exhibit C-2), the DRC may allow changes on a lot by lot basis as long as there is a minimum 5-foot interior side yard setbacks for both one and two story homes;
  - b. the applicant shall make efforts to retain a 20-foot rear yard setback for the house on Lot 21. If because of the oak tree on the lot, a 20-foot setback can not be obtained without impact to the tree, the DRC may approve a reduction in the rear yard setback of no less than 15-feet. An arborist may need to be involved with the house placement on this lot.
  - c. allow retaining walls between two side yards to extend beyond 4-feet to no higher than 5 feet;
  - d. allow the reduction in lot sizes to a minimum of 4,500 square feet;
  - e. allow the use of pad grading without the requirement to have setbacks to slopes and retaining walls from property lines unless required by building codes;
  - f. to allow the use of model homes for the project; and
- 5. Prior to map recordation, the following items need to be brought back for DRC review and approval:

- a. Plan indicating which homes will have enhanced window trim. At a minimum, those homes on the corner lots and the homes that back up to or side on Serenade Dr need to have enhanced features.
  - b. Adequate mix of models shall be used to avoid the repeat placement of like models adjacent to one another or repetitively;
  - c. A landscape plan for the parkway planting as well as front yard landscaping will need to be submitted. In addition to street trees within the parkway, the developer shall include a minimum of two (2) front yard trees in the private landscaping design to increase long term vegetation screening for the subdivision. Additional trees shall be provided for corner lots.
  - d. A fencing plan will need to be submitted showing location and types of fencing. Enhanced fencing may be necessary for the rear yard fencing for lots 9-15 and the side yards of 1 and 9.
  - e. A plan showing the location and architectural details of the decorative masonry wall for the southern property line. The exact location and design of the wall will need to be reviewed by the project Arborist to insure that the wall will not impact the existing oak trees.
  - f. The landscaping plan needs to include landscaping on both sides of the wall including the area owned by the City (detention basin). The landscaping plan shall take the existing oak trees into account and not be detrimental to the trees health. At the time that the wall plans are submitted for DRC review, the property owners that front on Oxen Court, west of Brahma shall be notified of the meeting.
6. Prior to recordation, the applicant shall submit a Master Street Tree planting plan for review by the Development Review Committee and contingent on approval by the Streets Division.
  7. Each home for Lots 40-45 Shall go through a minor site plan review through the DRC.

ADOPTED by the City Council of the City of El Paso de Robles at a regular meeting of said Council held on the 21<sup>st</sup> day of June 2005 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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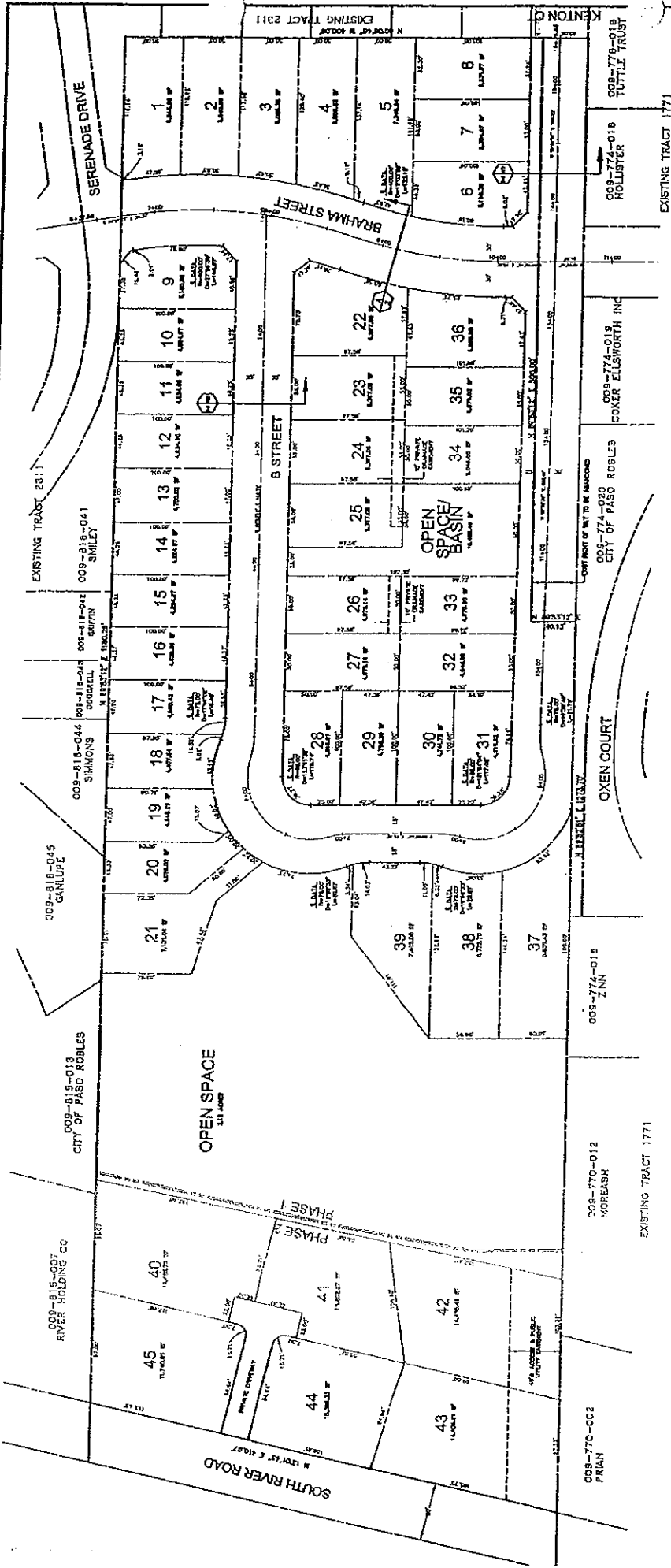
Frank R. Mecham, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk

darren\tracts\2611J.M.Wilson\21June05CCResApprove\Res



# TENTATIVE MAP TRACT 2611

IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION OF A PORTION OF LOT 42 OF THE SUBDIVISION OF A RANCHO SANTA ISABEL, RECORDED IN BOOK A OF MAPS, AT PAGE 28, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



**EXHIBIT A**  
Tentative Tract Map  
Tract 2611, PD 04-017 & RZ 04-008  
(J.M. Wilson Development)

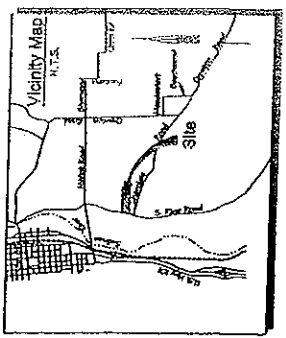
**SUBDIVIDER:** J.M. WILSON DEVELOPMENT  
444 HIGUERA ST, STE 200  
SAN LUIS OBISPO, CA 93401

**OWNER:** SOUTH RIVER LLC  
444 HIGUERA ST, STE 200  
SAN LUIS OBISPO, CA 93401

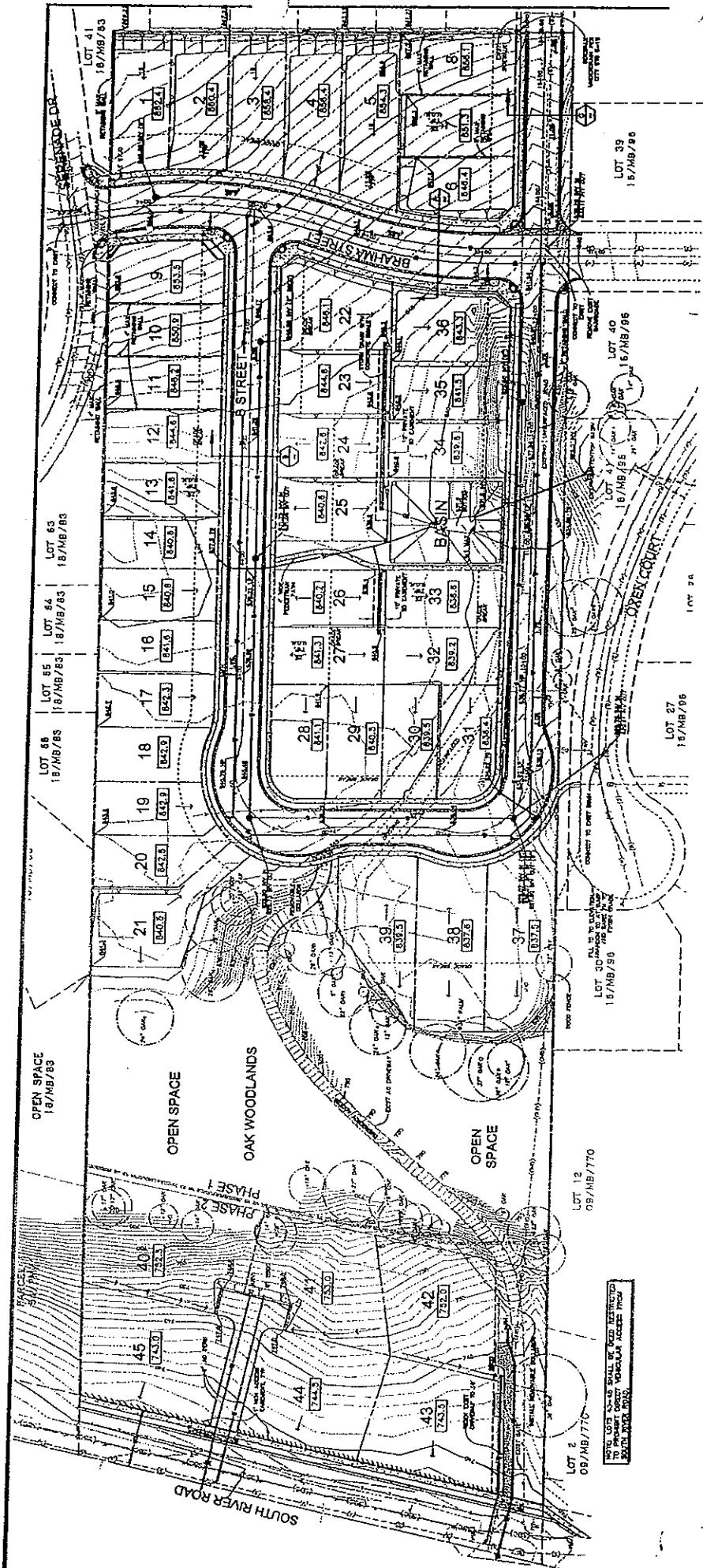
**ENGINEER:** STEVEN J. SYLVESTER, P.C.E. 28743  
NORTH COAST ENGINEERING, INC.  
235 CHESTNUT ROAD SUITE B  
PASO ROBLES, CA 93446

**A.P.N.:** 009-815-002

TOTAL SITE:	10.8 ACRES
TOTAL LOT SIZE:	7.12 ACRES
TOTAL OPEN SPACE:	2.12 ACRES
AVERAGE LOT SIZE:	6,900 SQ FT







## PRELIMINARY GRADING TRACT 2611

**LEGEND**

- 10 LOT NUMBER
- 11 LOT AREA
- 12 LOT PERCENTAGE
- 13 LOT ACRES
- 14 LOT EASEMENT
- 15 LOT EASEMENT
- 16 LOT EASEMENT
- 17 LOT EASEMENT
- 18 LOT EASEMENT
- 19 LOT EASEMENT
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- 42 LOT EASEMENT
- 43 LOT EASEMENT
- 44 LOT EASEMENT
- 45 LOT EASEMENT

**LEGEND**

- 1 WATER MAIN
- 2 SANITARY MAIN
- 3 GAS MAIN
- 4 ELECTRICAL MAIN
- 5 TELEPHONE MAIN
- 6 FIBER OPTIC MAIN
- 7 FIRE MAIN
- 8 SEWER MAIN
- 9 STORM SEWER MAIN
- 10 DRAINAGE CANAL
- 11 DRAINAGE CANAL
- 12 DRAINAGE CANAL
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## EXHIBIT B Preliminary Grading & Drainage Tract 2611, PD 04-017 & RZ 04-008 (J.M. Wilson Development)

LOCAL STREET

LOCAL STREET

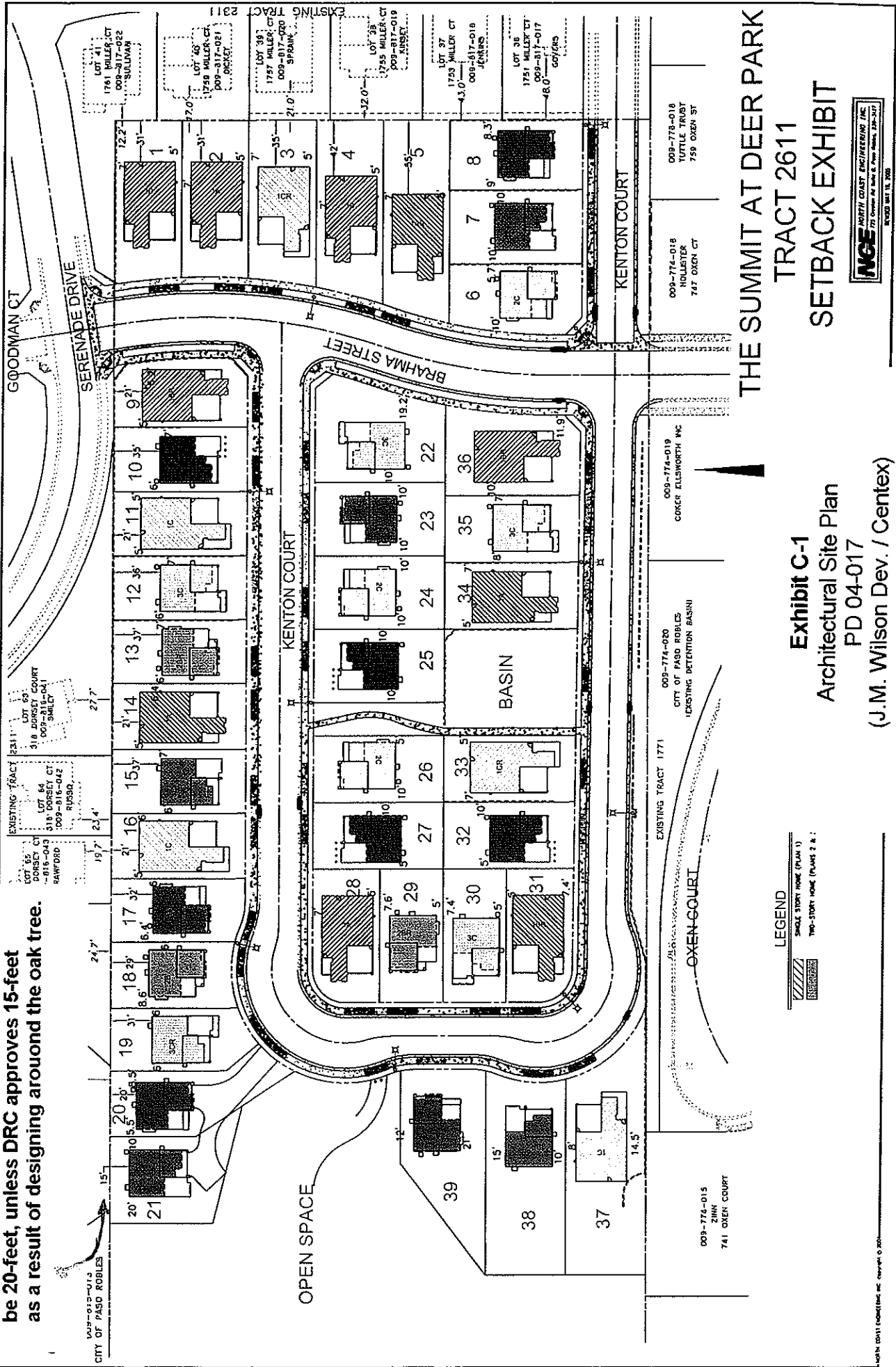
LOCAL STREET

SCALE 1" = 40'

RECEIVED

MAY 19 2005

Note: The rear setback for Lot 21 shall be 20-feet, unless DRC approves 15-foot as a result of designing around the oak tree.



LEGEND

- SHALE STORY HOME (PLAN 1)
- TWO-STORY HOME (PLANS 2 & 3)

THE SUMMIT AT DEER PARK  
 TRACT 2611  
 SETBACK EXHIBIT

Exhibit C-1  
 Architectural Site Plan  
 PD 04-017  
 (J.M. Wilson Dev. / Centex)

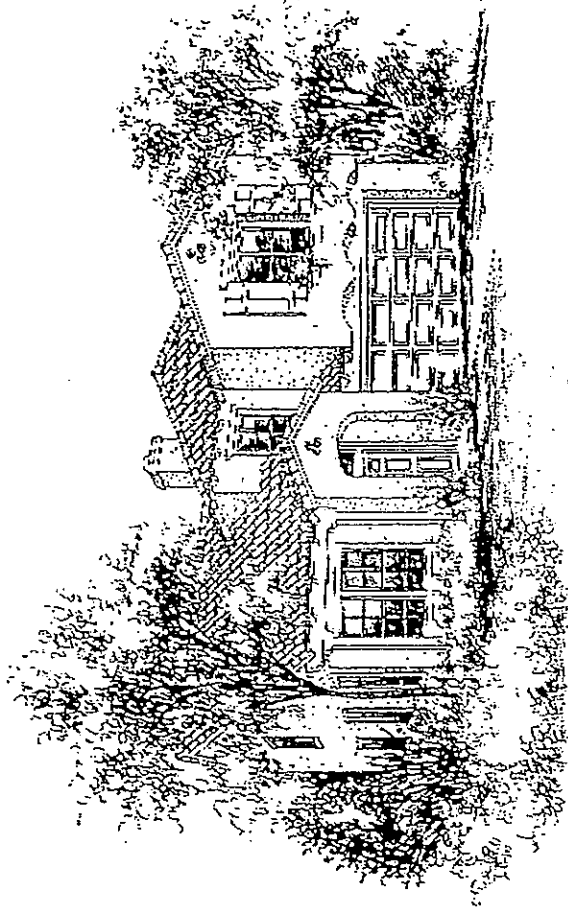


TRACT 2611 PHASE 1

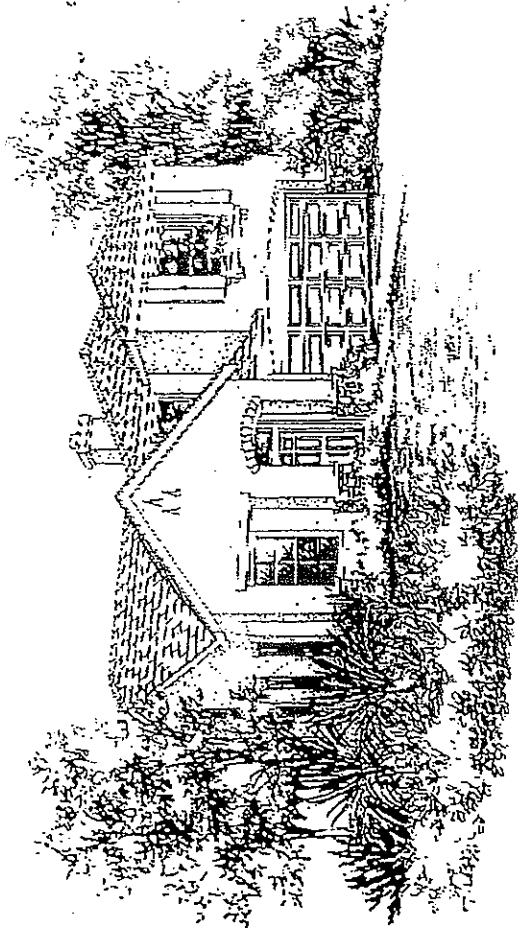
The following setbacks represent minimum approved setbacks for each lot. Any revisions to these minimum setbacks will be required to be approved by the DRC.

Lot No.	House Plan No.	Single/Two-Story	Setbacks	
			Left	Right
1	1B	S	7	5
2	1A	S	7	5
3	1CR	S	7	5
4	1B	S	7	5
5	1AR	S	7	5
6	2C	T	10	5
7	3B	T	10	10
8	2A	T	9	8
9	1BR	S	5	6
10	3AR	T	6	7
11	1CR	S	5	5
12	3C	T	6	7
13	2BR	T	6	7
14	1A	S	5	6
15	3BR	T	6	7
16	1CR	S	5	6
17	2AR	T	6	6
18	2BR	T	8	6
19	3CR	T	6	6
20	2A	T	5	8
21	3B	T	10	10
22	3C	T	10	10
23	2AR	T	10	10
24	2C	T	10	10
25	3AR	T	10	10
26	2C	T	5	10
27	3AR	T	10	5
28	1A	S	7	5
29	2BR	T	7	5
30	3C	T	7	5
31	1BR	S	5	7
32	3AR	T	5	10
33	1CR	S	7	5
34	1A	S	5	7
35	3C	T	8	7
36	1BR	S	10	10
37	1CR	S	5	10
38	3BR	T	10	10
39	2A	T	10	10

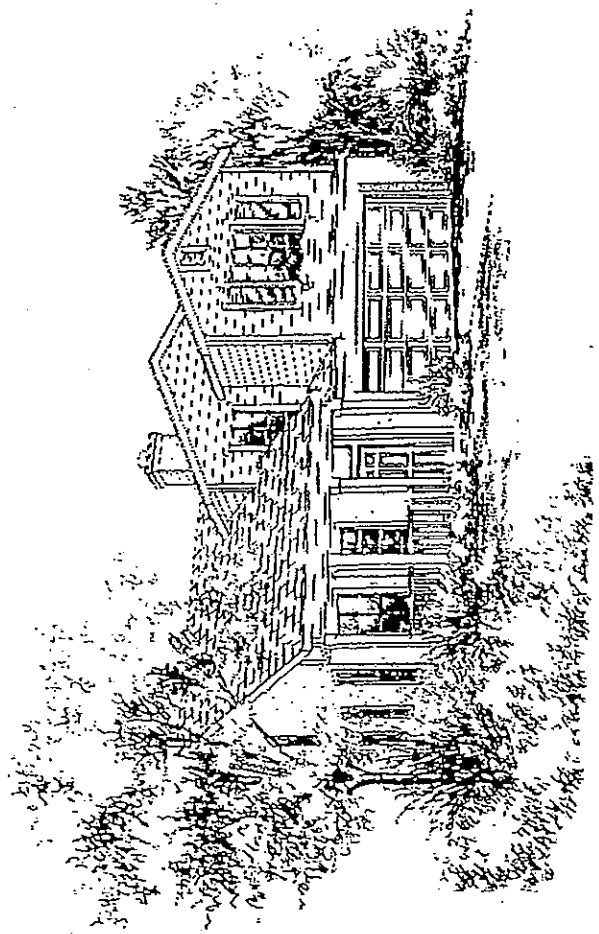
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 July 19 2005  
 Community Development



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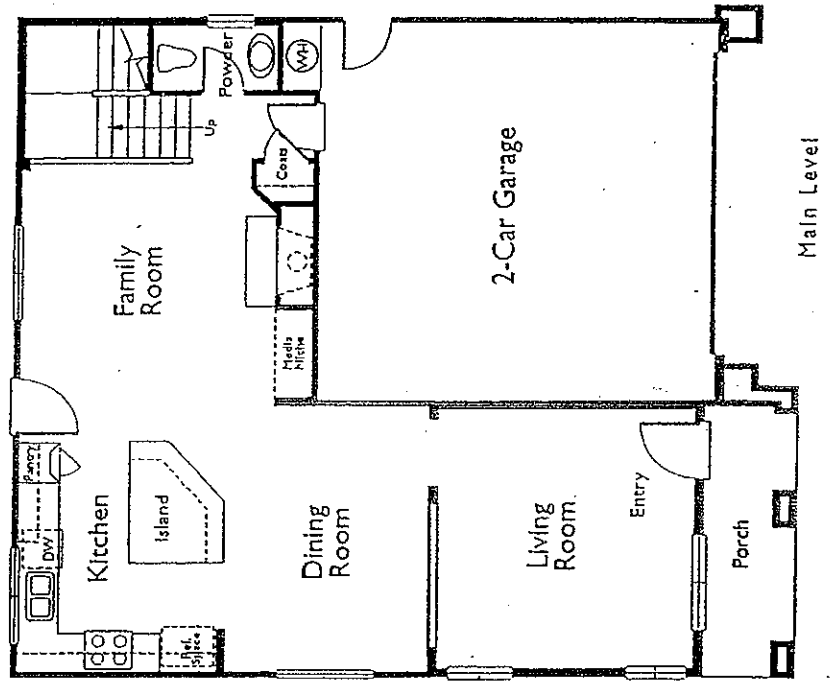
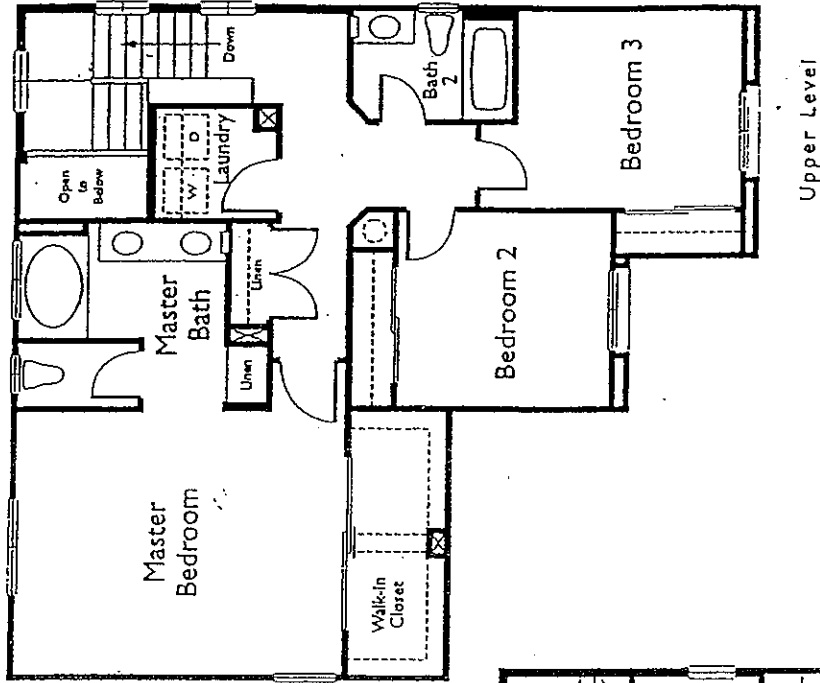
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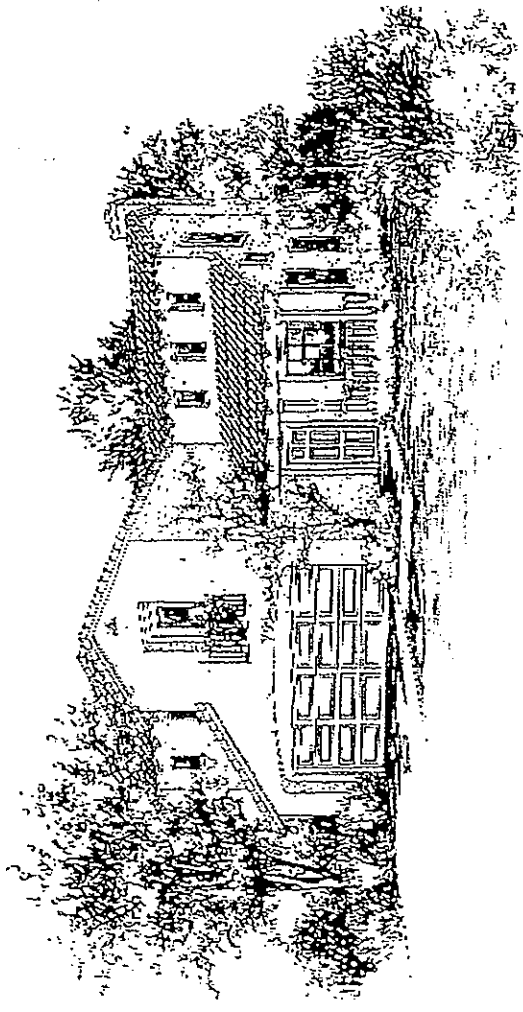
**EXHIBIT D1-D6**  
Conceptual Model Homes  
Tract 2611, PD 04-017 & RZ 04-008  
(J.M. Wilson Development)



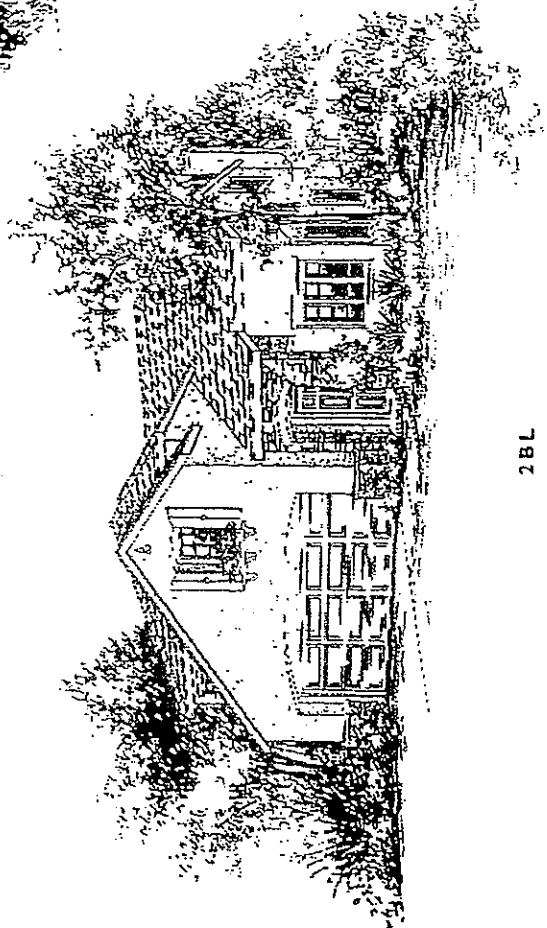
P L A N I

1,875 Square Feet  
Three Bedrooms  
Two-and-One-Half Baths  
2-Car Garage

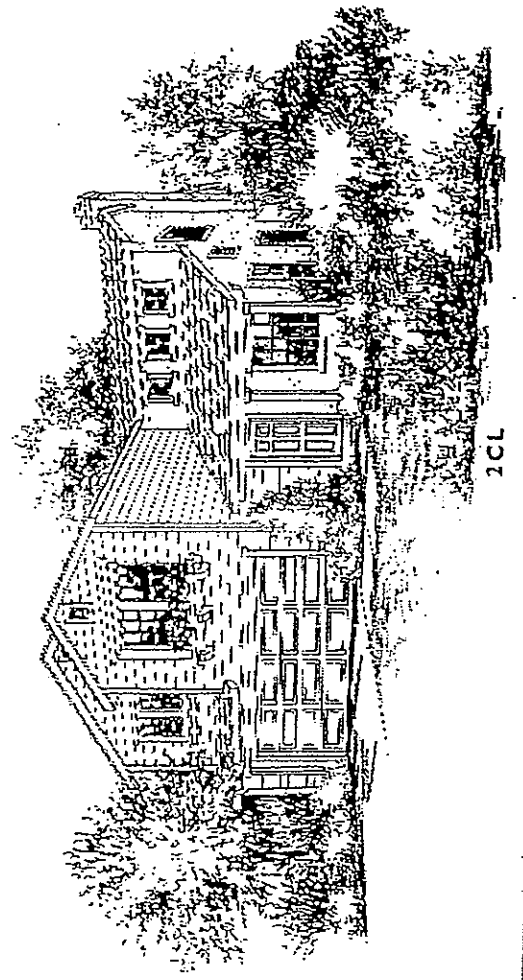




2AL



2BL

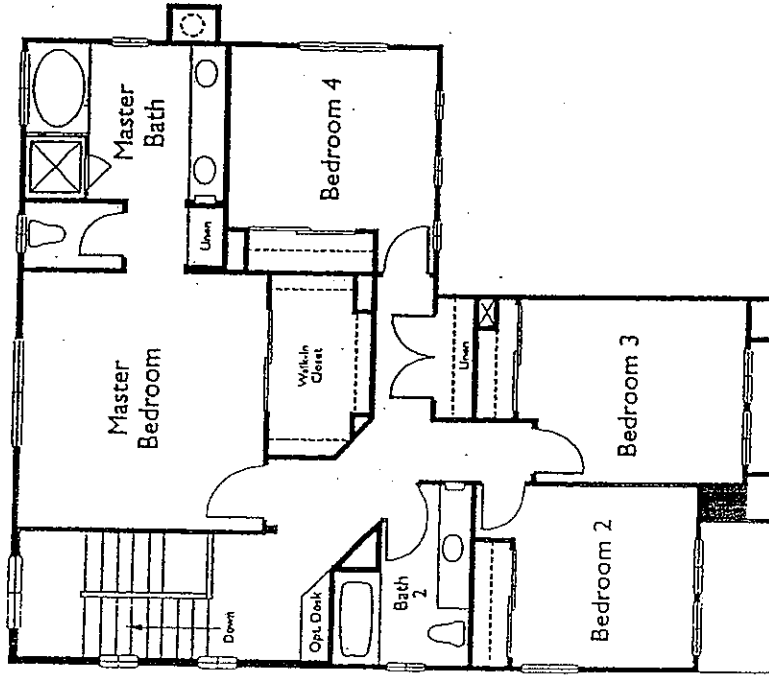
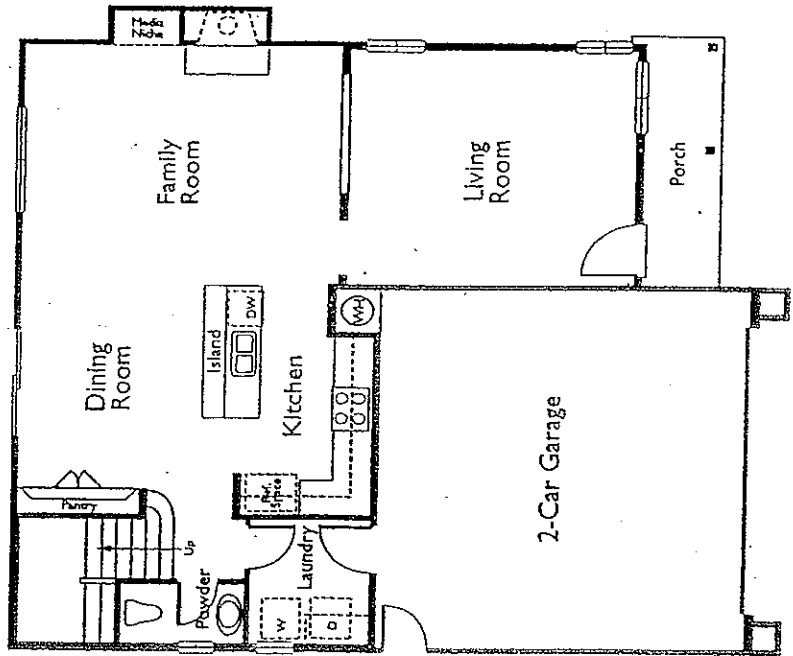


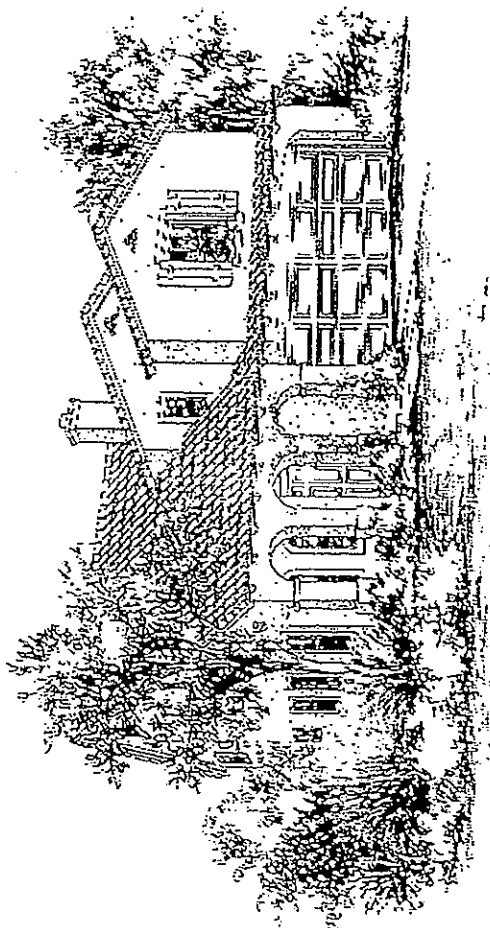
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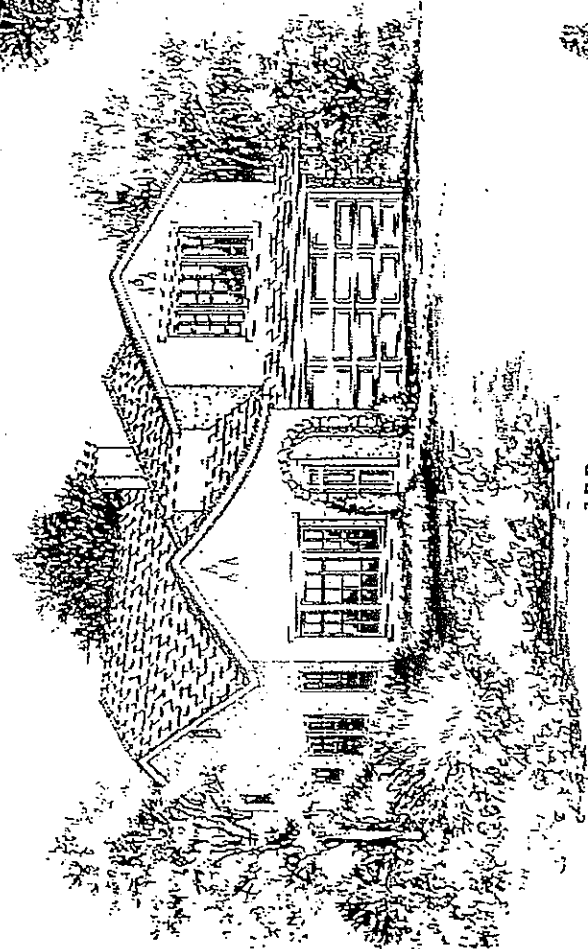
P L A N 2

2,006 Square Feet  
 Four Bedrooms  
 Two-and-One-Half Baths  
 2-Car Garage

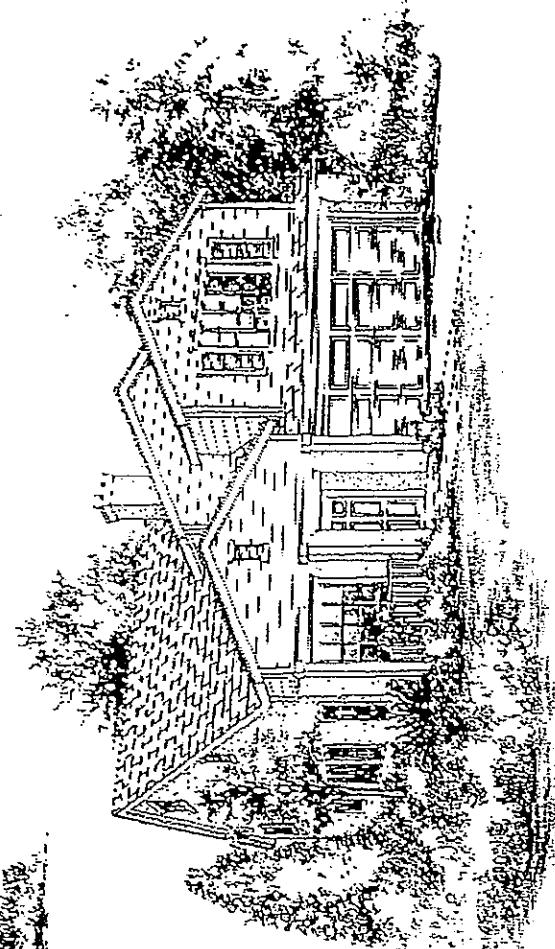




3AR



3BR



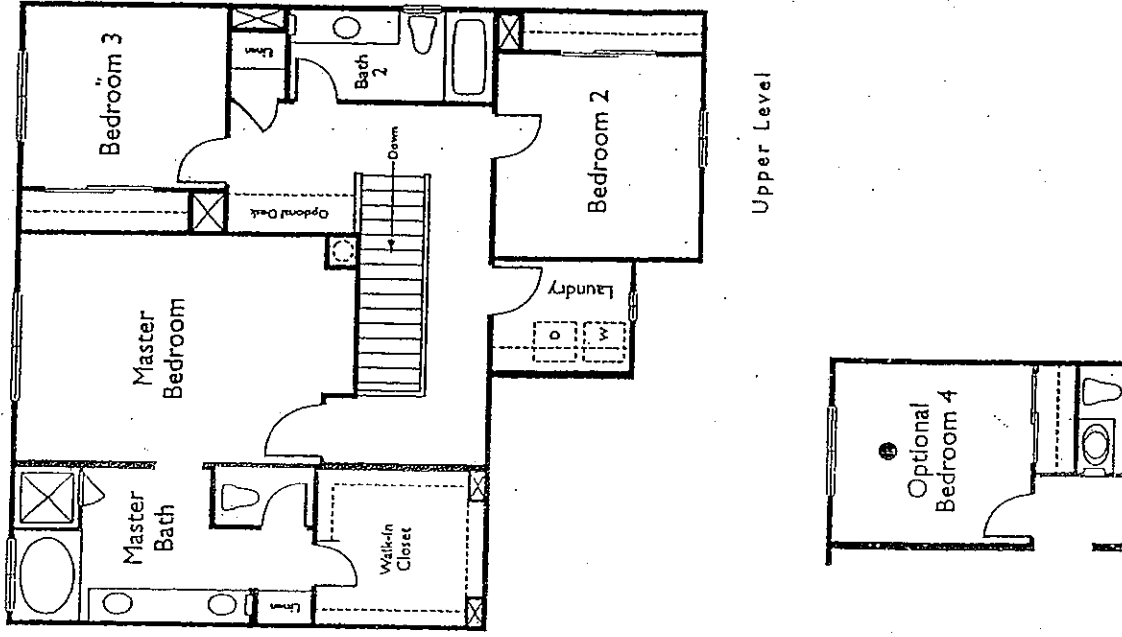
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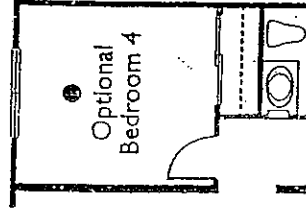


P L A N 3

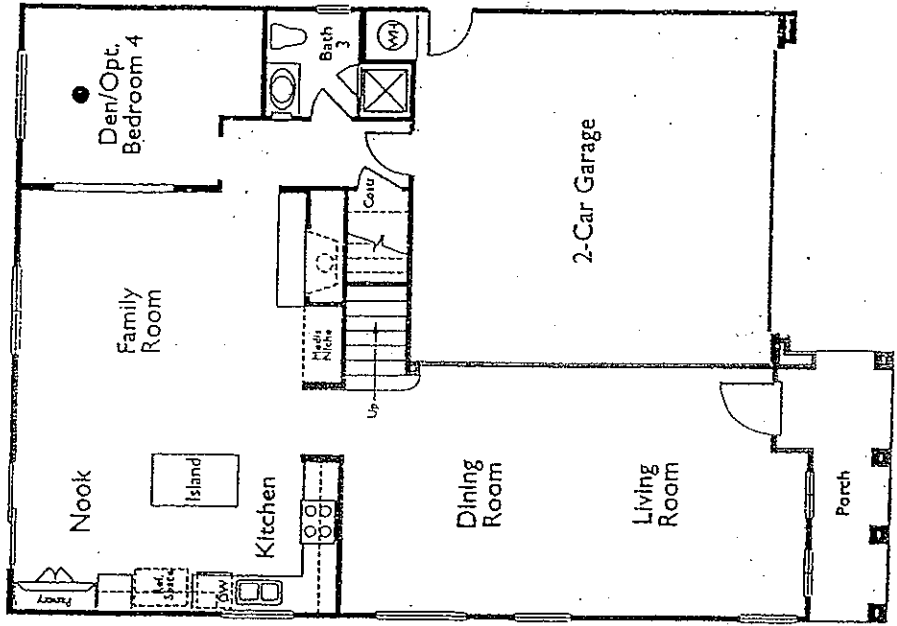
2,197 Square Feet  
Three Bedrooms plus Den  
Three Baths  
Optional Bedroom 4  
2-Car Garage



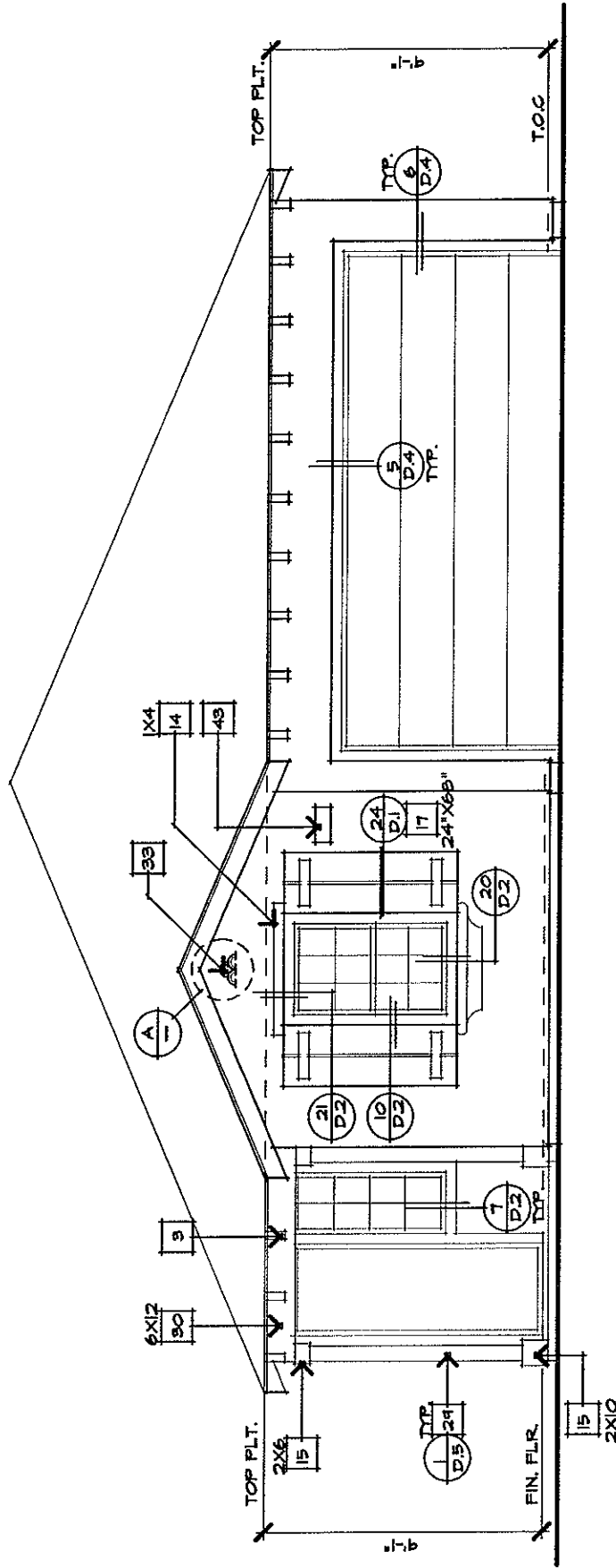
Upper Level



Optional Bedroom 4



Main Level

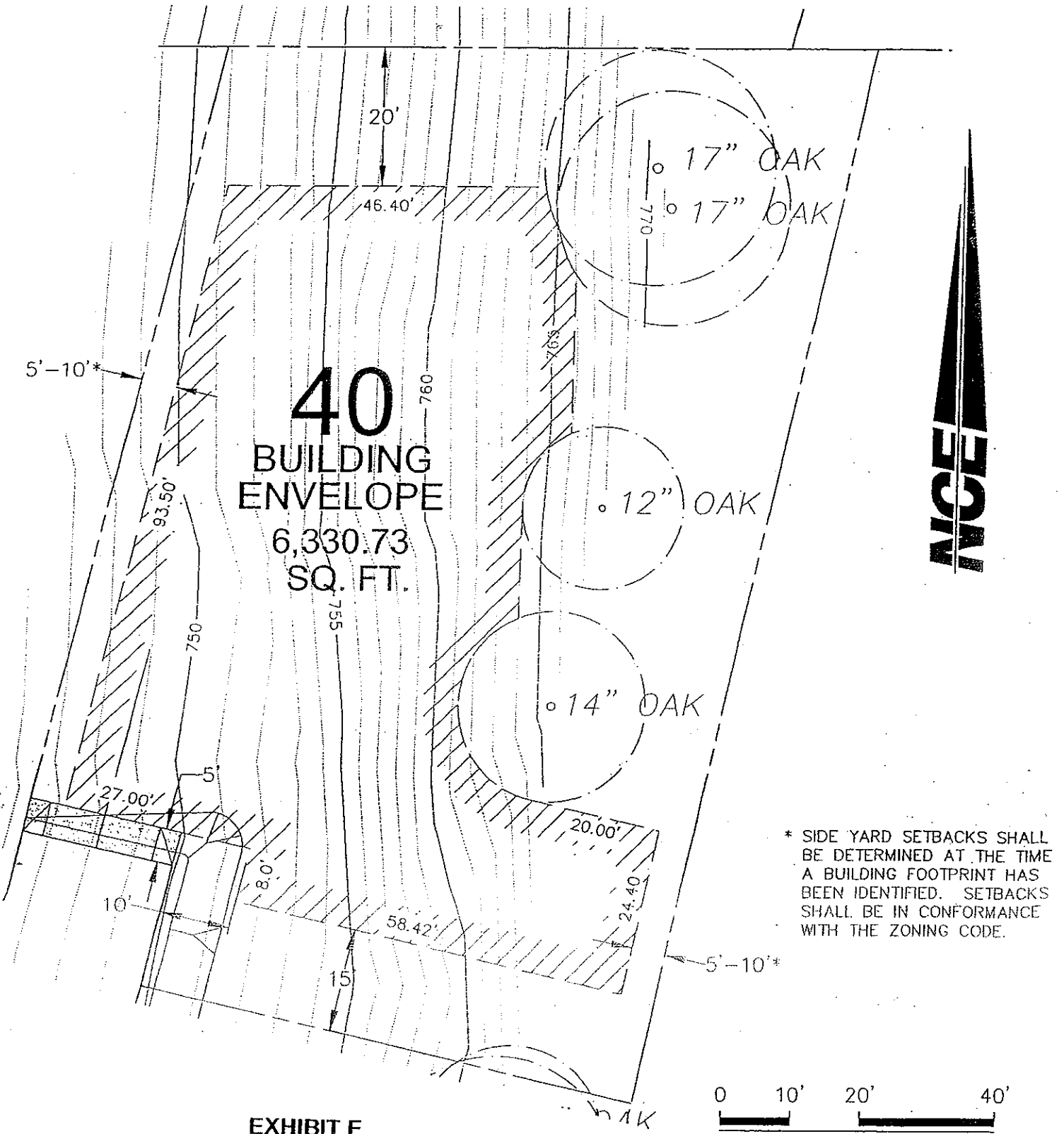


**FRONT ELEVATION** **1-A**  
 SPANISH

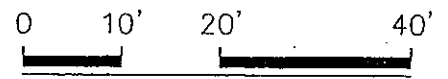
SCALE 1/4"=1'-0"

Exhibit D-7  
 Plan 1 - Single Story  
 Elevation 1-A (Elevations B&C on file)  
 PD 04-017  
 (J.M. Wilson Dev./Centex)

TRACT 2611  
 LOT 40  
 BUILDING ENVELOPE EXHIBIT

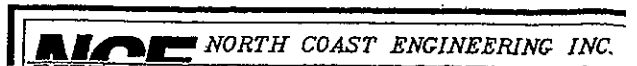


\* SIDE YARD SETBACKS SHALL BE DETERMINED AT THE TIME A BUILDING FOOTPRINT HAS BEEN IDENTIFIED. SETBACKS SHALL BE IN CONFORMANCE WITH THE ZONING CODE.

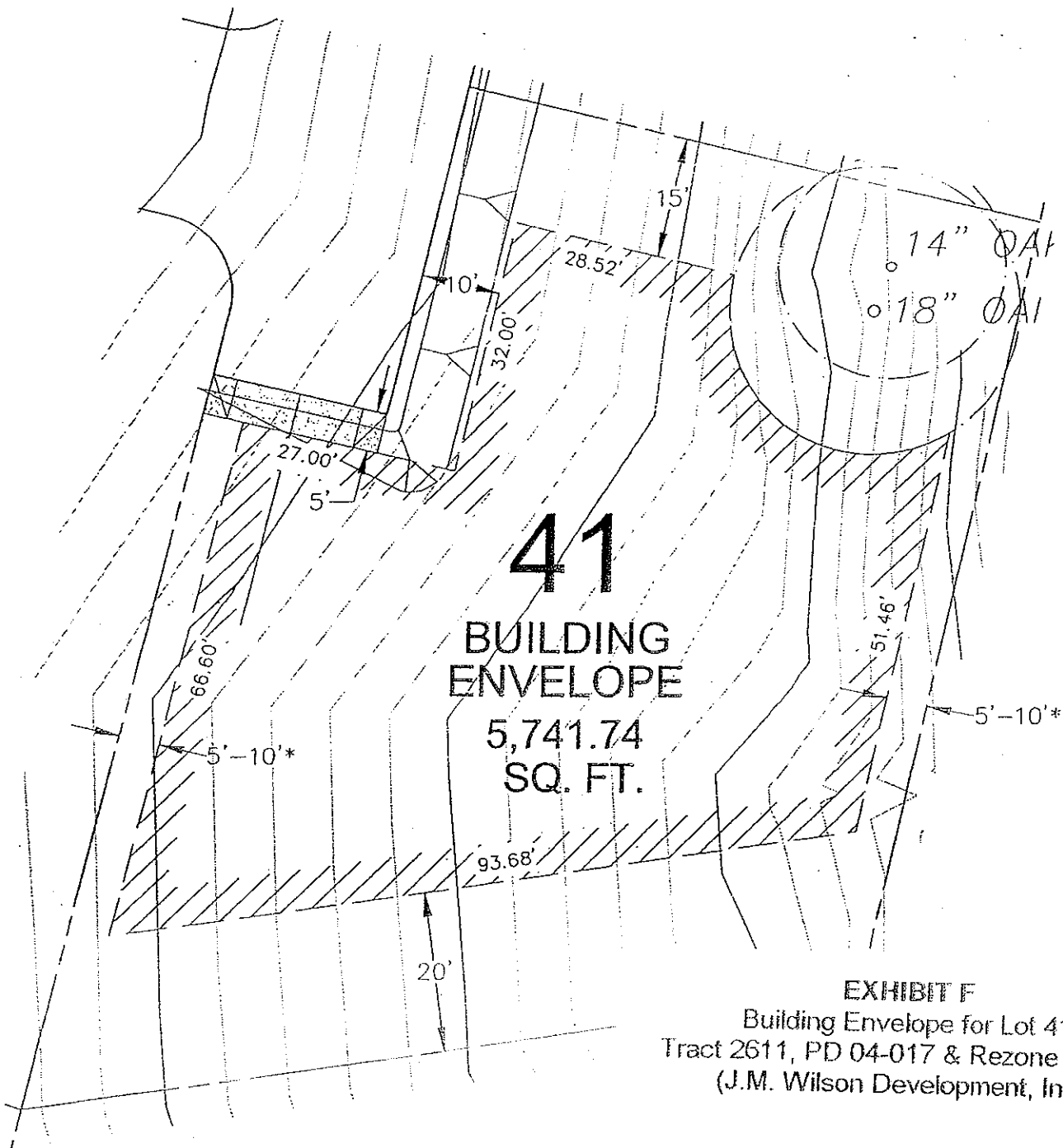


SCALE: 1"=20'

EXHIBIT E  
 Building Envelope for Lot 40  
 Tract 2611, PD 04-017 & Rezone 04-008  
 (J.M. Wilson Development, Inc.)

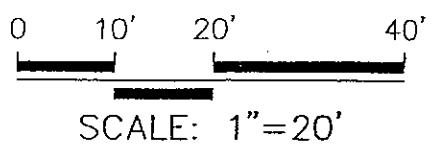


TRACT 2611  
 LOT 41  
 BUILDING ENVELOPE EXHIBIT



**41**  
 BUILDING  
 ENVELOPE  
 5,741.74  
 SQ. FT.

EXHIBIT F  
 Building Envelope for Lot 41  
 Tract 2611, PD 04-017 & Rezone 04-008  
 (J.M. Wilson Development, Inc.)



\* SIDE YARD SETBACKS SHALL BE DETERMINED AT THE TIME A BUILDING FOOTPRINT HAS BEEN IDENTIFIED. SETBACKS SHALL BE IN CONFORMANCE WITH THE ZONING CODE.

RESOLUTION NO. 05-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
APPROVING THE APPEAL BY SERENADE AND DEER PARK RESIDENTS  
DENYING THE PLANNING COMMISSION'S DECISION TO  
APPROVE PLANNED DEVELOPMENT 04-017  
(J.M. WILSON DEVELOPMENT - APN: 009-815-002)

---

WHEREAS, Tract 2611, along with Rezone 04-008 and PD 04-017 would divide an 11 acre parcel into forty-five (45) single-family residential lots; and

WHEREAS, Tract 2611 is located at 1650 South River Road; and

WHEREAS, the Planning Commission at their meeting on May 24, 2005, on a 4/3 vote approved PD 04-017; and

WHEREAS, on May 31, 2005, an application was filed by Tim and Brenda Sullivan on behalf of "Serenade and Deer Park Residents" to appeal the Planning Commission's decision to approve PD 04-017, where the focus of concern is the number of single story homes and the setbacks for the homes; and

NOW, THEREFORE, the City Council of the City of El Paso de Robles, using its independent judgment and analysis, does hereby, approve the applicants request to appeal, thereby denying the Planning Commission's decision to approve PD 04-017, and require Centex Homes to revise PD 04-017 to add additional single story homes and present a proposal with increased setbacks.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 21<sup>st</sup> day of June 2005 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

Frank R. Mecham, Mayor

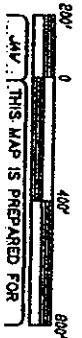
ATTEST:

---

Sharilyn M. Ryan, Deputy City Clerk

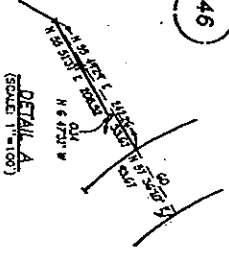
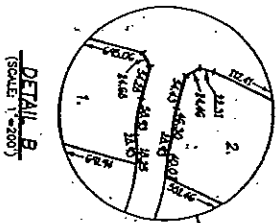
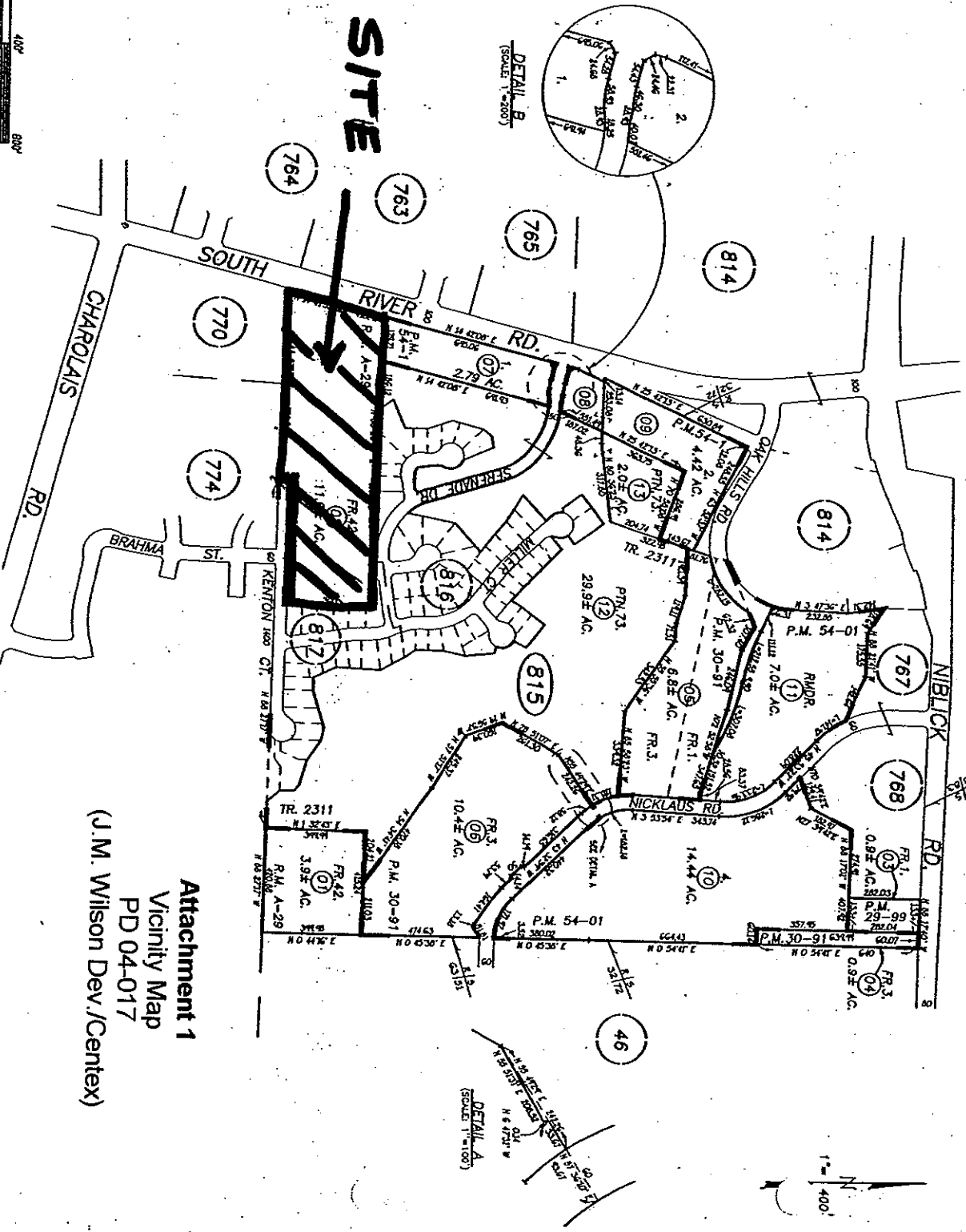


REVISIONS	
NO.	DATE
1	01-11-00



TRACT NO. 2311, R.M. BK. 18, P. R. 3.

CITY OF PASO ROBLES  
ASSESSOR'S MAP, COUNTY OF



**Attachment 1**  
 Vicinity Map  
 PD 04-017  
 (J.M. Wilson Dev./Centex)

RECEIVED  
MAY 31 2005  
Community Development

May 25, 2005

To Whom It May Concern:

We the residents of Serenade and Deer Park neighborhoods are in unison in filing an appeal to the City Planning Commission's decision on Tuesday May, 24 2005 regarding Planned Development 04-017.

We agree with the approval of the masonry wall along the south end of the development. We agree with the approved locations of the single story homes in this development. However, we feel there needs to be more single story homes to protect the existing homes and the new houses that will be built. In particular, lots 6, 7 & 8 need to be looked at as well as the row of houses on the northwest side of this development (that back up to Dorsey Court). We feel that the set back of these large homes on these small lots is wrong. We are looking for a solution that will protect the home owners and tax payers of Paso Robles who live and work in this town. The large developer will forever alter the quality of our lives and simply move on to their next project. They will profit; we will be here to live with the consequences.

Sincerely,

The Neighborhoods of Serenade and Deer Park

- Brendal Sullivan Brenda (Sullivan) 1761 Miller CT
- Timothy A. Sullivan [Signature] 1761 Miller ct
- [Signature] Silveira Elizabeth Silveira 1760 Miller
- [Signature] 1760 Miller CT
- William J. [Signature] 1760 Miller CT
- Robert A. Smith 1757 MILLER CT.
- Ruth M Dickey 1759 Miller Ct.
- James Han 1751 Miller 9373444  
986 Bridgeway  
SF
- Judy [Signature] 1751 Miller
- Mr & Mrs James [Signature] 1758 Miller Ct.
- Robert Berg - R. Barton 1756 " "

Richard Kinsey	1755 MILLER COURT
Joan T. Kinsey	" "
Deanne Serbonak-Sandez	1758 Goodman Ct
Eddie Sandez	1758 Goodman Ct.
Debra Sprain	1757 Miller Ct.
Jeff Holgate	747 OXFORD ST.
Barbara Finn	741 OXEN CT.
Charles Finn	741 OXEN CT.
Marsha Roth.	736 OXEN CT
Doug Roth	736 OXEN CT
R.V. St. Onge	738 OXEN CT
John St. Onge	738 OXEN CT
Bob Wenzel	740 OXEN CT.
Janet Wenzel	740 OXEN CT
Paul Sirogi	742 OXEN CT
Jennette Macci	742 OXEN CT.
Thom A. Mebo	751 Angus
W.B. Conway	1764 MILLER COURT
Amy S. Conway	1764 Miller Court
Robert Conway	785 Angus St.
Lila Conway	749 Jersey Ct



Ronda Jujiillo 1767 Goodman Ct

Lillian Weeman 314 Dorsey Ct

Jim + Lynda Simmons 312 Dorsey Ct.

DAVID GRANT 310 Dorsey Ct.

Don Samner 306 Dorsey Ct.

Jan Fleet 302 Dorsey Ct

Pat Hunt 302 Dorsey Ct.

Di Ann 1784 Miller Ct.

Ronald Jenkins 1753 Miller Ct.

V. Gayle Fry 511 Kenton Ct.

Julian Johnson 505 Kenton Court

Mike ? 503 Kenton Ct.

Juanne Zavala 503 Kenton Ct

SCOTT LARSON 1763 GOODMAN CT.

Sue Larson 1763 GOODMAN CT.

Wart Kemper 1765 GOODMAN CT

MIKE KELLER 752 BRAHMA ST.

Melissa Keller 752 Brahma St.

Kari Jenkins 1753 Miller Co.

Jan + Jean McDanel 1754 Miller Ct.

Norah A. Corwin 1753 Miller Ct.

Steve Jay 1753 Miller Ct.

Jon Casale 747 - Jersey

Dianna Miller 1774 Miller Ct.

Carlos J. Reynoso 1766 Goodman Ct

Yolanda Reynoso 1766 Goodman Ct

Ethna Reynoso 1791 Miller Ct

Mary J. Fajon 1770 MILLERS. &

~~Alfred~~ 1776 MILLER CT

Randy Luey 404 LOMBARDO

~~Alfred~~ 1780 MILLER CT

Deborah Havens 1780 Miller Ct.

Suzanne Reynoso 1782 Miller Ct

Sally Martens 1788 Miller Ct.

Jennifer Kalle 1790 Miller Ct.

Frank Miller 1783 Miller Ct

Jim Hanson-Horsick 1783 Miller Ct.

Cecilia Yancy Beiler 1781 Miller Ct.

Patricia Tarr 1765 MILLER CT

Vivian Hoang 1769 - -

Frankley 1760 Goodman Ct

Jerry McMiller 1762 Goodman Ct.

John McNew " " "

SONDRA M. TUTTLE SONDRA M. Tuttle 759 OMA ST. P.R.  
WILLIAM B. TUTTLE WILLIAM B. Tuttle 759 OXENST.


**NORTH COAST ENGINEERING, INC.**

Civil Engineering • Land Surveying • Project Development • Community Development

**RECEIVED**

JUN 14 2005

Post-It® Fax Note	7671	Date	6/14	# of pages	2
To	Darren Dash	From	Christy Gabel		
Co./Dept	City of PR	Co.	NCE		
Phone #		Phone #	239-3127		
Fax #	237-6565	Fax #			

June 14, 2005

To: City of El Paso de Robles Council M.  
 Mayor Frank Mecham  
 Mr. Jim Heggarty  
 Mr. Duane Picanco  
 Mr. Gary Nemeth  
 Mr. Fred Strong

Subject: Planned Development 04-017 (Wilson/Centex) Appeal Exhibits

Dear Members of the City Council:

The following exhibits have been submitted to you for your consideration in the review of the appeal of Planned Development 04-017 that was filed with the City on May 31, 2005. A brief description of each exhibit is included below along with the reason that they were included.

The Cross Section Exhibits were included in response to comments made at public hearings regarding the effect that the proposed development may have on the line of sight of both existing and proposed homes. A plan view exhibit denotes the location of each of the cross sections. The cross sections show elevation views of various Lots, including the lines-of-sight, which helps to describe the visual impact of the proposed development.

The Cross Section Exhibit for Lots 6, 7 and 8 was included specifically in response to comments made in the appeal letter that was submitted to the City on May 31, 2005. The cross section shows an elevation view of said lots as well as the existing home on Lot 36 of Tract 2311. It helps describe the visual impact of the proposed development by showing that the finished floor of the existing home on Lot 36 of Tract 2311 is between 18.4' and 8.4' higher than the finished floor elevations of the proposed homes on Lots 6, 7, and 8.

The Brahma Street Grading Exhibit was included in response to comments made at public hearings regarding the difference in elevation between the Serenade development (Tract 2311) and the proposed development. This exhibit displays the pad elevations of Lots 1-8 and the existing house pads located east of the project within Tract 2311.

The Setback Exhibit demonstrates the minimum side and rear setbacks for all lots within the proposed development. It is the governing document for which Centex Homes is

R:\PROJ\03127\Document\Appeal Letter June 14.doc

Page Two  
June 14, 2005

requesting approval.

The Master Grading Plan of Tract 2311 was included specifically by the request of Councilman Nemeth. This exhibit provides house locations and design setbacks for Tract 2311.

The Setback Matrix for Tract 2611 was included to summarize the setbacks of each lot in Tract 2611. Centex Homes has requested that this document be included in the conditions of approval for the Planned Development of Tract 2611.

The Setback Matrix for Tract 2311 was included to summarize the setbacks of each lot in Tract 2311 for comparison to the setbacks in Tract 2611 and to show that variances for setbacks were approved in the development of Tract 2311.

The Useable Rear Yard Comparison was included specifically by the request of Councilman Nemeth and was included in response to comments made at public hearings. The rear yard information was derived by interpretation of the Master Grading Plan for Tract 2311 as well as the grading plan for Tract 2611 for the purpose of comparison.

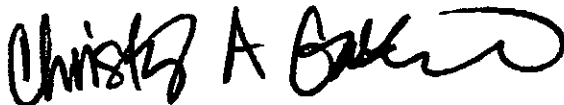
The Lot Size Summary was included specifically by the request of Councilman Nemeth and was included in response to comments made at public hearings.

The Product Comparison was in response to comments made at public hearings for the purpose of comparing the ratio of single-story and two-story houses of the overall project for Tract 2311 (Serenade), Tract 2611 (The Summit at Deer Park), and Tract 1771 (Deer Park Estates).

The Photos were included for visual reference.

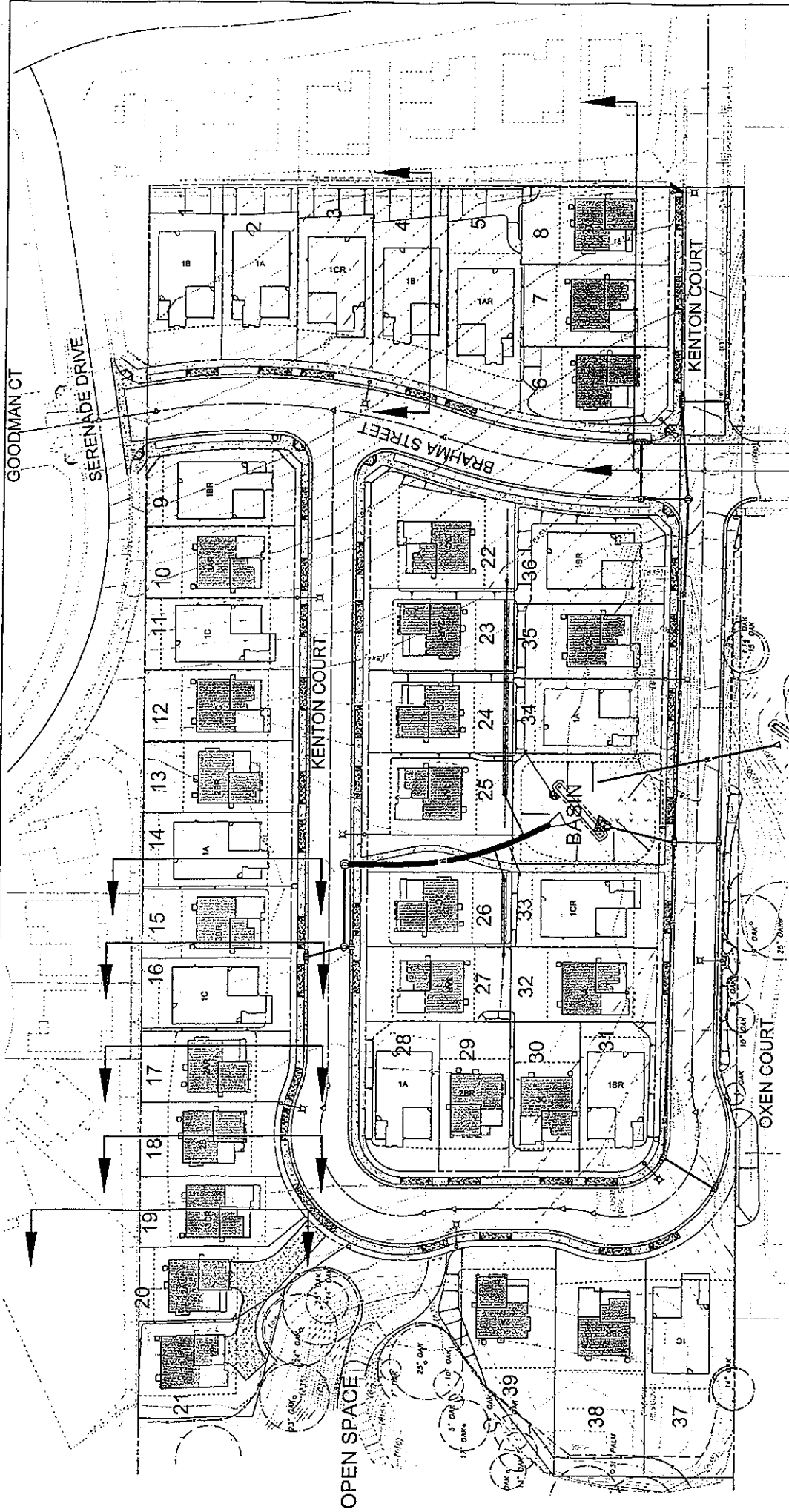
Thank you for your consideration.

Sincerely,

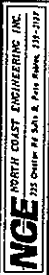


Christy Gabler  
Senior Civil Engineer

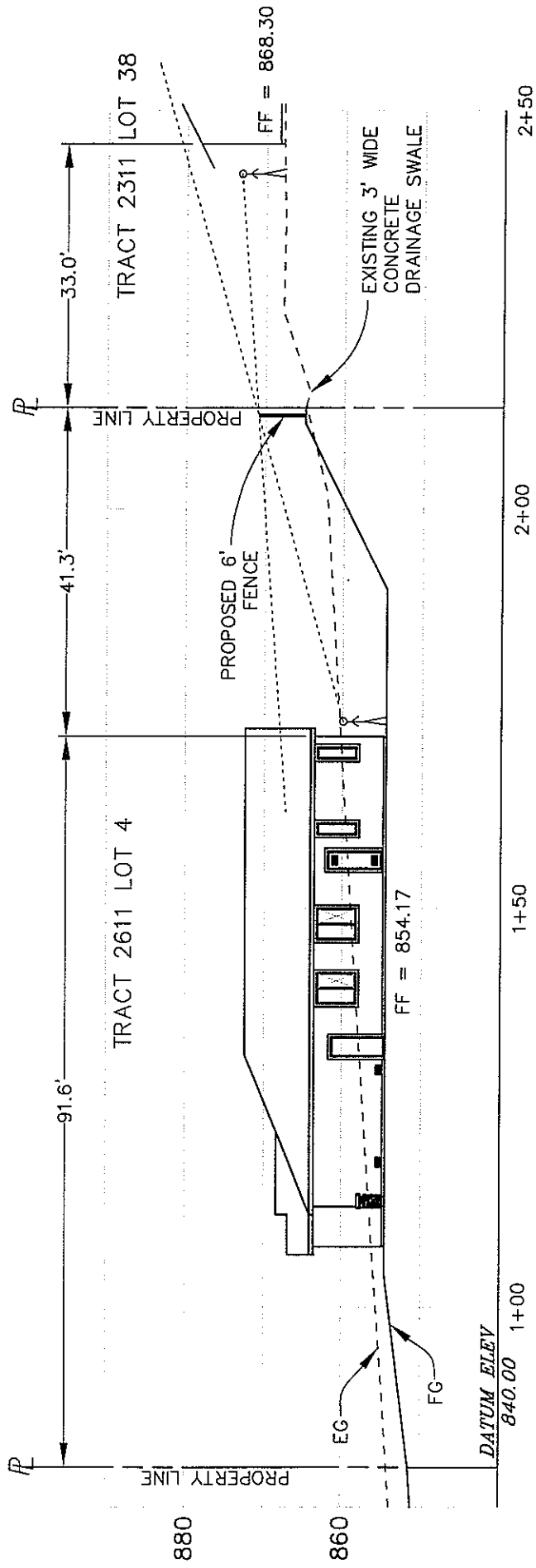
Cc: Bob Lata



**THE SUMMIT AT DEER PARK  
TRACT 2611**



**Exhibits 3a-h**  
 Cross Sections  
 PD 04-017  
 (J.M. Wilson/Centex)

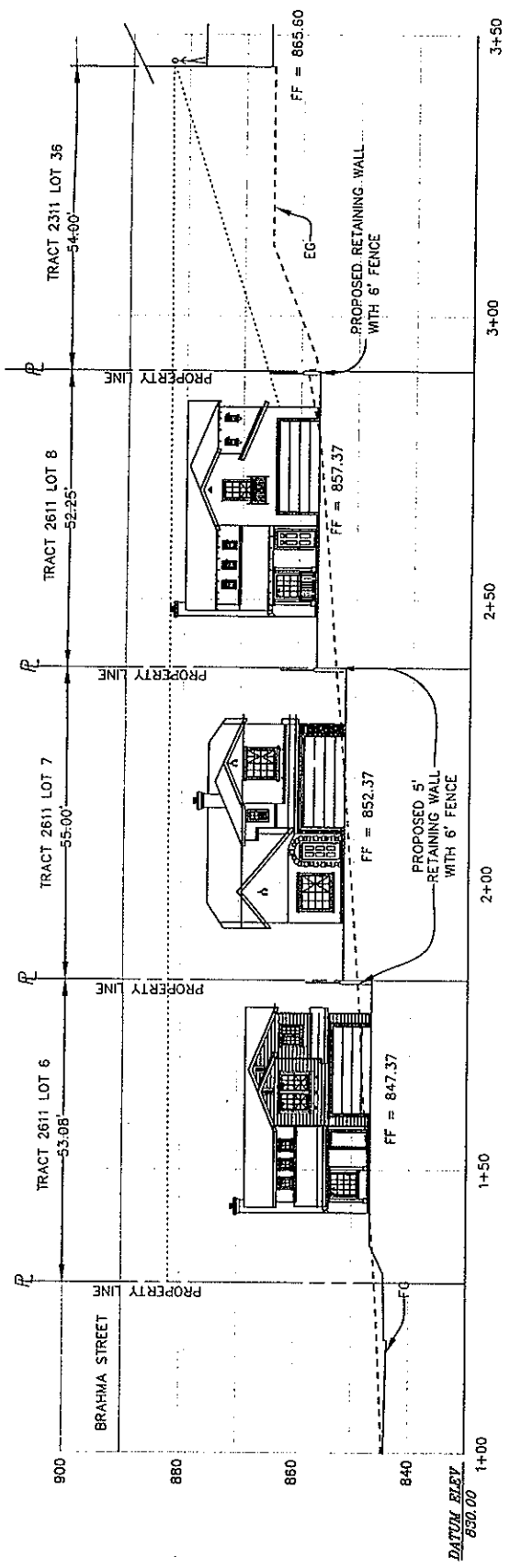


**PROFILE**  
 VERTICAL 1" = 20'  
 HORIZONTAL 1" = 20'

FROM TR 2611, LOT 4  
 TO TR 2311, LOT 38

HOUSE PLAN 1B

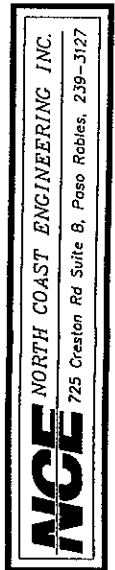
**NCE** NORTH COAST ENGINEERING INC.  
 725 Creston Rd Suite B, Paso Robles, 239-3127



**PROFILE**  
 VERTICAL 1" = 20'  
 HORIZONTAL 1" = 20'

FROM TR 2611, LOTS 6,7,8  
 TO TR 2311, LOT 36

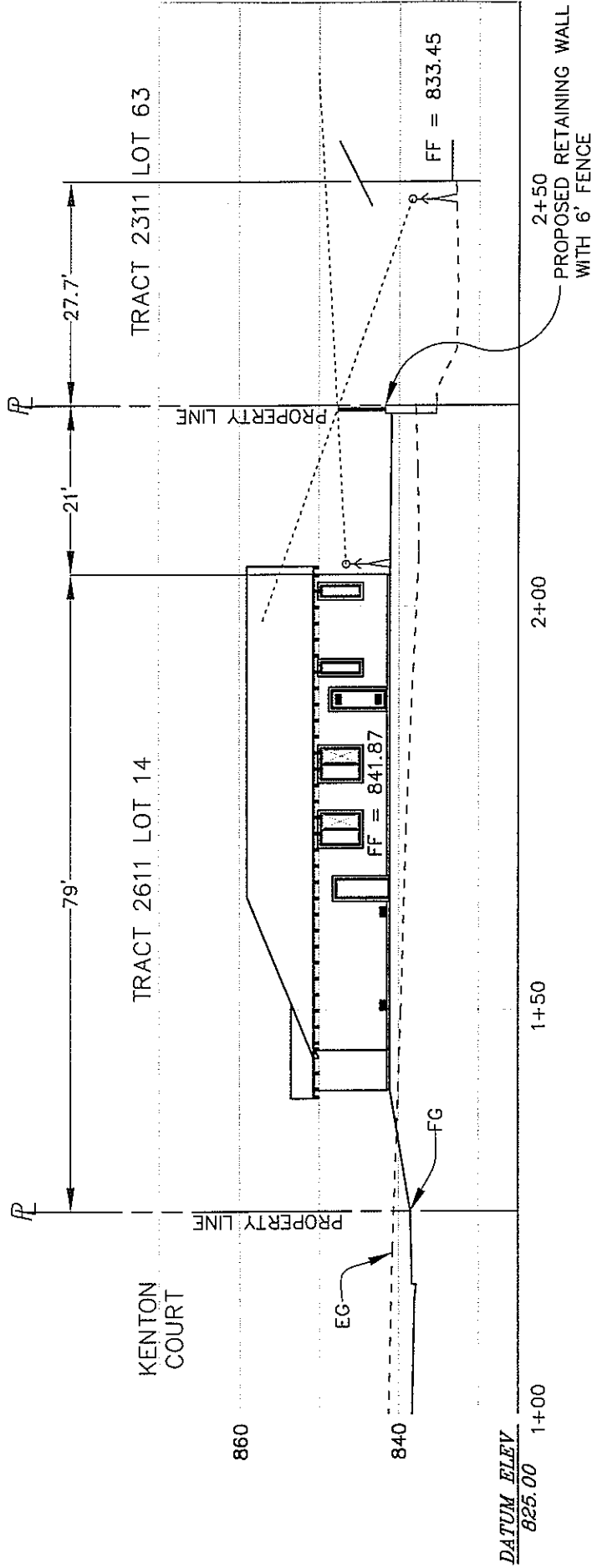
HOUSE PLANS 2C,3B,2A RESPECTIVELY



3C

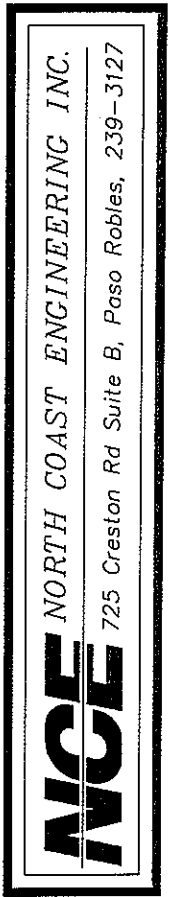
3C

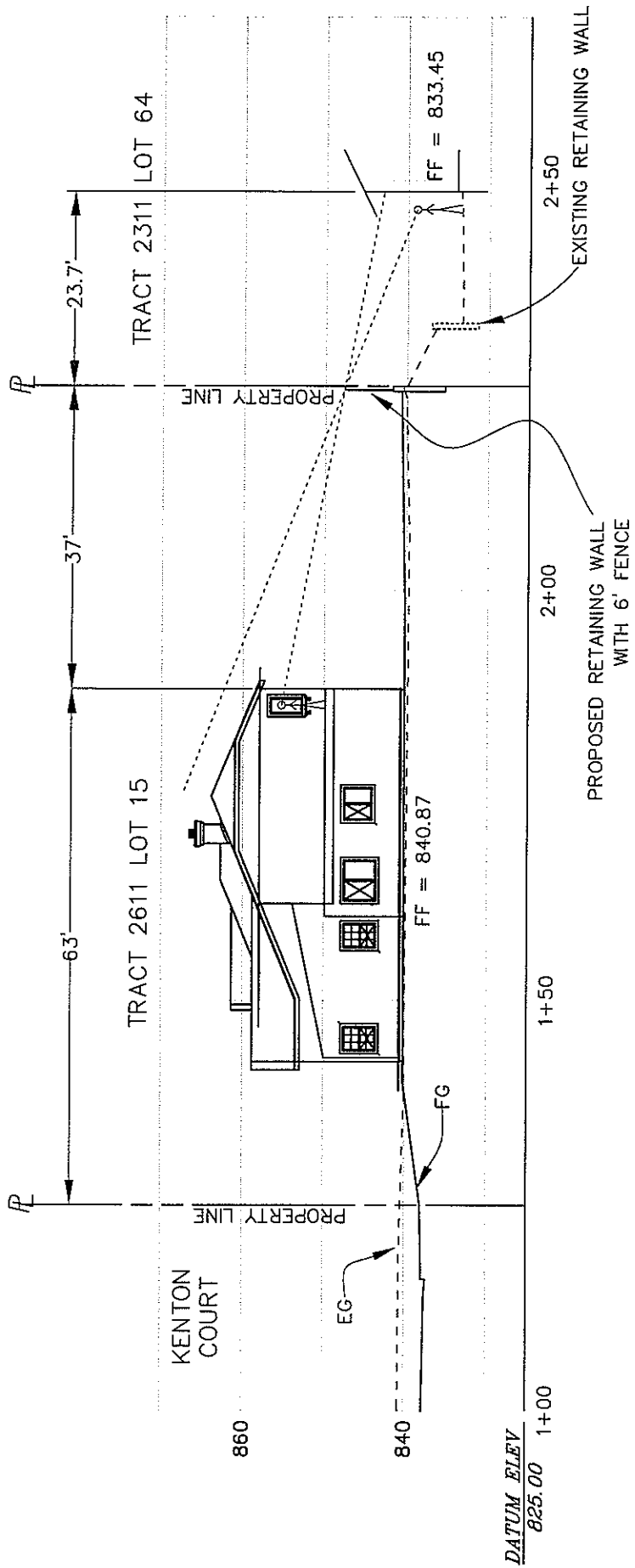




**PROFILE**  
 VERTICAL 1" = 20'  
 HORIZONTAL 1" = 20'

FROM TR 2611, LOT 14  
 TO TR 2311, LOT 63  
 HOUSE PLAN 1A



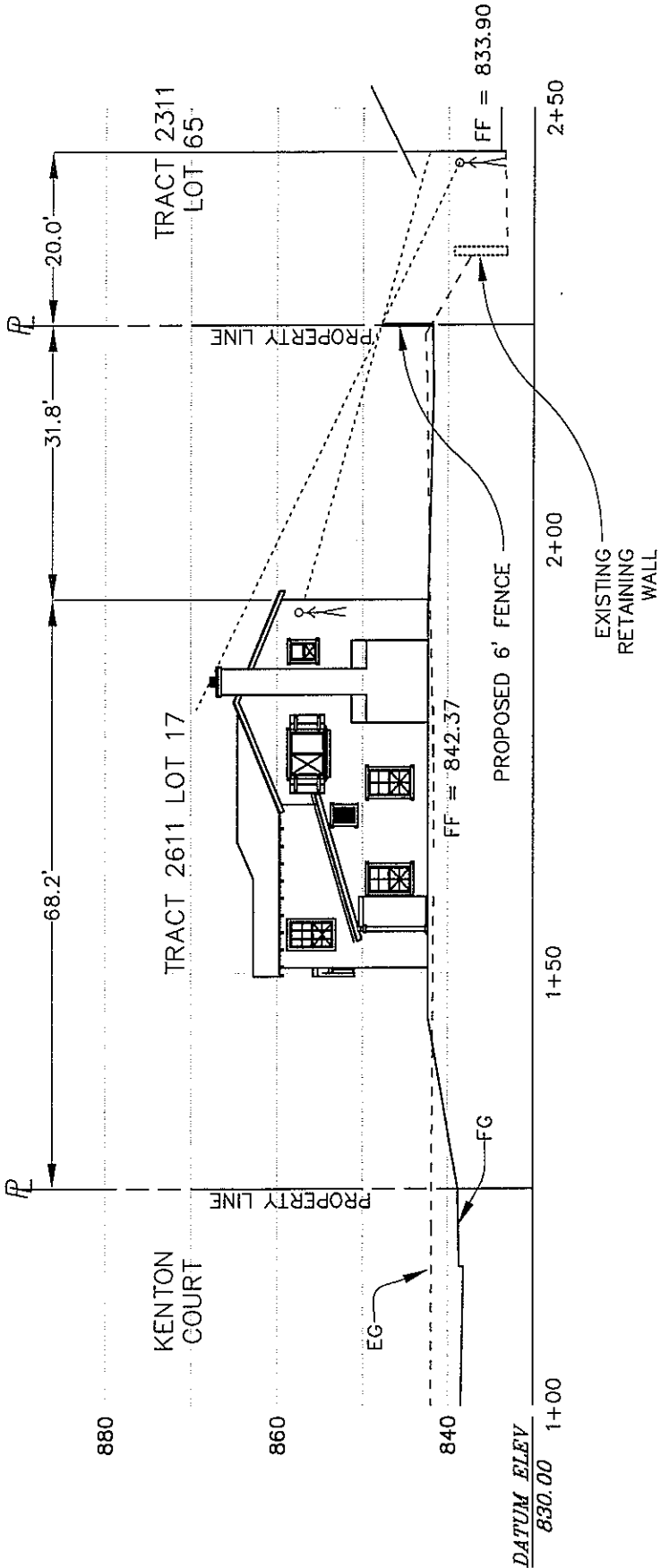


**PROFILE**  
 VERTICAL 1" = 20'  
 HORIZONTAL 1" = 20'

FROM TR 2611, LOT 15  
 TO TR 2311, LOT 64

HOUSE PLAN 3BR

**NCE** NORTH COAST ENGINEERING INC.  
 725 Creston Rd Suite B, Paso Robles, 239-3127



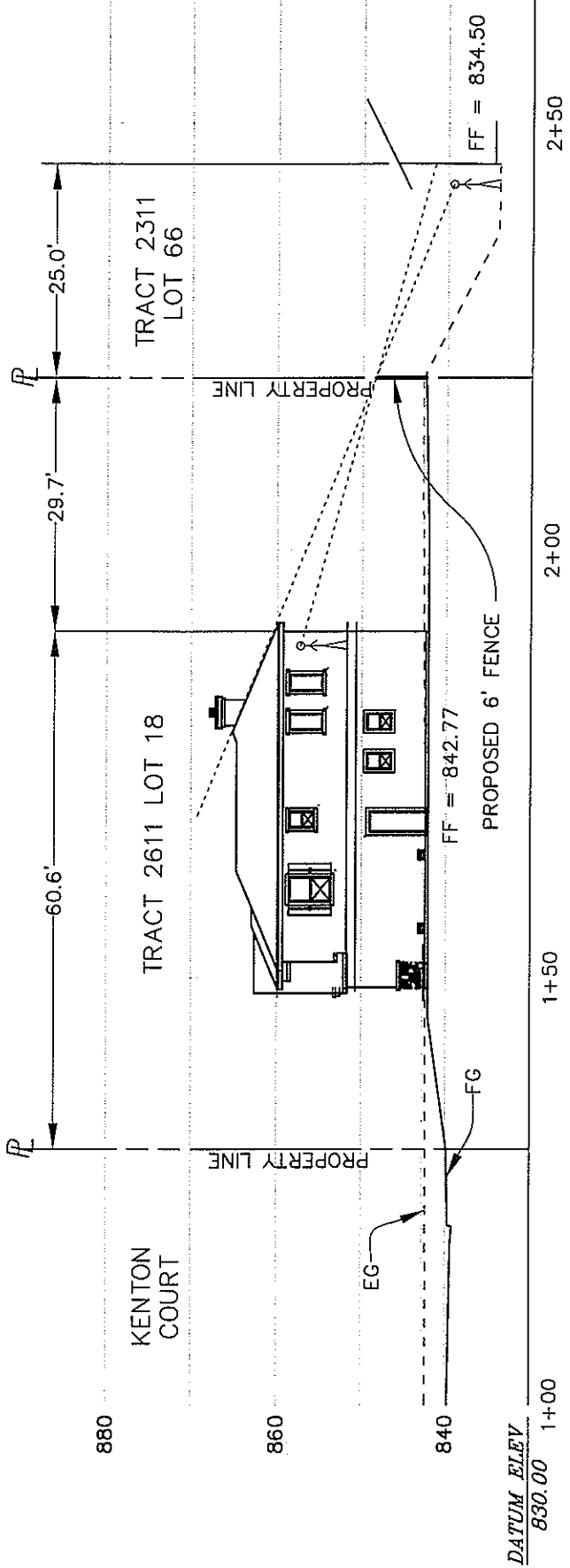
**PROFILE**

VERTICAL 1" = 20'  
 HORIZONTAL 1" = 20'

FROM TR 2611, LOT 17  
 TO TR 2311, LOT 65

HOUSE PLAN 2AR

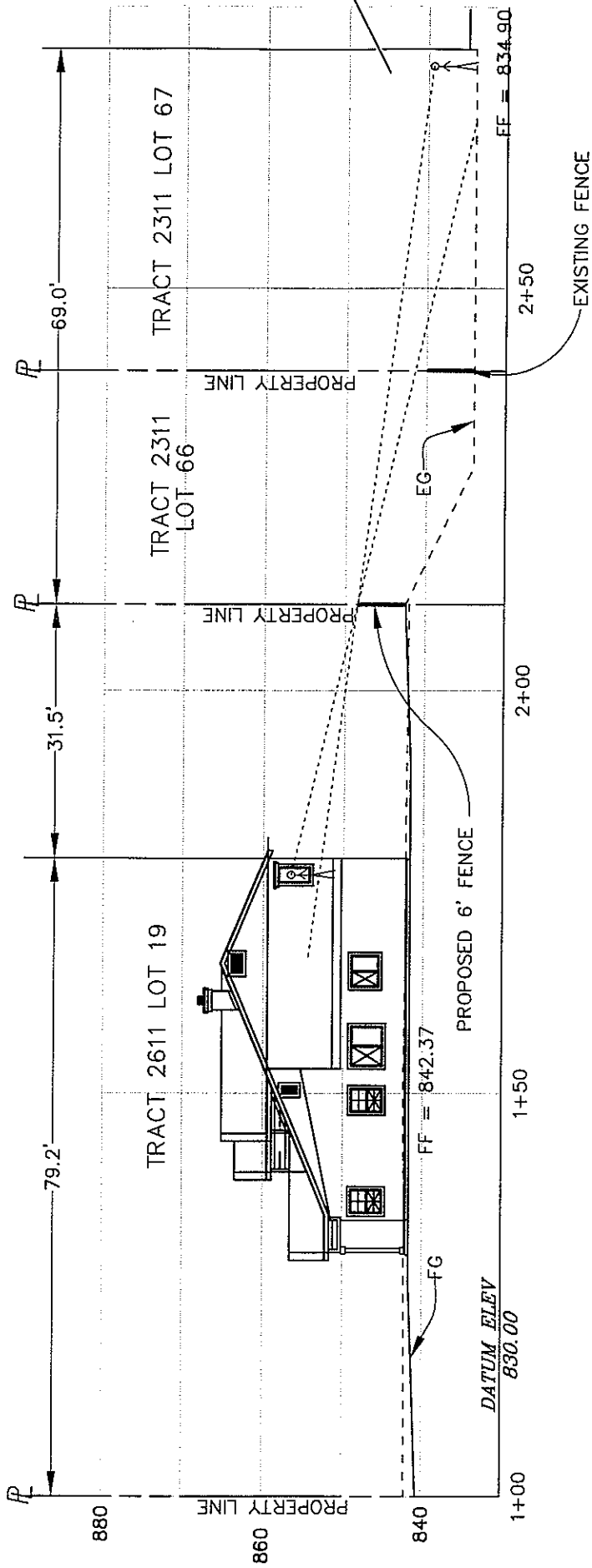
**NCE** NORTH COAST ENGINEERING INC.  
 725 Creston Rd Suite B, Paso Robles, 239-3127



**PROFILE**  
 VERTICAL 1" = 20'  
 HORIZONTAL 1" = 20'

FROM TR 2611, LOT 18  
 TO TR 2311, LOT 66  
 HOUSE PLAN 2B

**NCE** NORTH COAST ENGINEERING INC.  
 725 Creston Rd Suite B, Paso Robles, 239-3127

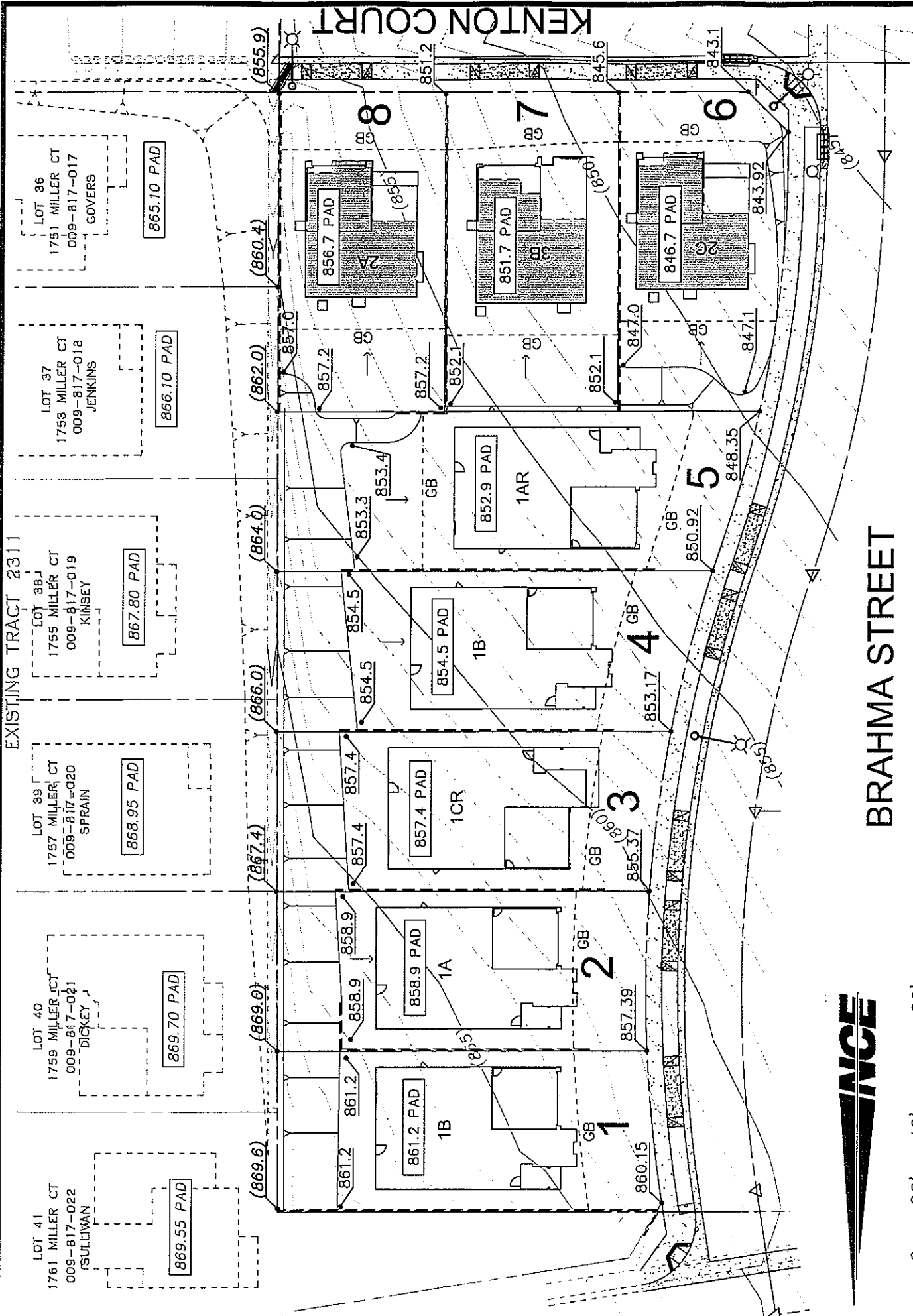


**PROFILE**  
 VERTICAL 1" = 20'  
 HORIZONTAL 1" = 20'

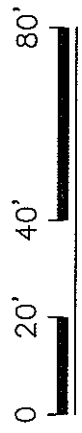
FROM TR 2611, LOT 19  
 TO TR 2311, LOT 67

HOUSE PLAN 3CR

**NCE** NORTH COAST ENGINEERING INC.  
 725 Creston Rd Suite B, Paso Robles, 239-3127



# BRAHMA STREET



SCALE: 1" = 40'

**Exhibit 4**  
Brahma St. Grading Exhibit  
PD 04-017  
(J.M. Wilson/Centex)

**TRACT 2611 PHASE 1 SETBACKS**

**The Summit at Deer Park**

The following setbacks represent minimum approved setbacks for each lot. Any revisions to these minimum setbacks will be required to be approved by the DRC.

Lot No.	House Plan No.	Single/Two-Story	Setbacks (feet)	
			Left	Right
1	1B	S	7	5
2	1A	S	6	5
3	1CR	S	7	5
4	1B	S	7	5
5	1AR	S	7	5
6	2C	T	10	5
7	3B	T	10	10
8	2A	T	9	8
9	1BR	S	5	6
10	3AR	T	6	7
11	1CR	S	5	5
12	3C	T	6	7
13	2BR	T	6	7
14	1A	S	5	6
15	3BR	T	6	7
16	1CR	S	5	6
17	2AR	T	6	6
18	2BR	T	8	6
19	3CR	T	6	6
20	2A	T	5	8
21	3B	T	10	10
22	3C	T	10	10
23	2AR	T	10	10
24	2C	T	10	10
25	3AR	T	10	10
26	2C	T	5	10
27	3AR	T	9	6
28	1A	S	7	5
29	2BR	T	7	5
30	3C	T	7	5
31	1BR	S	5	7
32	3AR	T	5	10
33	1CR	S	7	5
34	1A	S	5	7
35	3C	T	8	7
36	1BR	S	10	10
37	1CR	S	10	5
38	3BR	T	10	10
39	2A	T	10	10

**Exhibit 5**  
 Tract 2611, Phase I - Setback Exhibit  
 PD 04-017  
 (J.M. Wilson/Centex)

**TRACT 2311 SETBACKS**  
**Serenade Homes**

Lot No.	Single/Two-Story	Setbacks (feet)			
		Left	Right	Front	Rear
1	T	19	5	16.1	26.9
2	S	5	28	20	28.5
3	T	12.5	5	15	7.5
4	S	5	5	10	17
5	S	5	5	15	14.9
6	S	5.3	5	10	20
7	S	5	5.2	10	21
8	T	5	5	16	12
9	S	5	10.2	14.7	10
10	T	5.5	5	20	17
11	S	5	5	15	14.9
12	T	5	18	34.6	37.3
13	S	6.8	8.1	15	47
14	T	10	5.9	15	20
15	S	6	5	15	16.9
16	S	5	6	15	26
17	T	5	4.9	14.9	19.5
18	S	5	5	10	18.2
19	S	7.5	5	15	14.4
20	T	5	5	15	30.8
21	S	5	5	15	39.3
22	T	5	5	15	45.7
23	S	6	5	15	42
24	S	5	5	15	33.4
25	S	5	5	15	33
26	T	7	5	16	46
27	S	10	5	13.9	16.6
28	T	8	7	16	24
29	S	6	5	15	47.5
30	S	10	11	15	50.8
31	S	5	16	15	40.3
32	S	5	15	11.8	45
33	T	5	15	10	41
34	S	33	35	39	39
35	T	5	5	N/A	10.5
36	T	15	5	20	54
37	S	12	7	16	43



**TRACT 2311 SETBACKS**  
**Serenade Homes**

Lot No.	Single/Two-Story	Setbacks (feet)			
		Left	Right	Front	Rear
38	S	12	7	17	32
39	S	14	5	15	21
40	S	14	5	12	17
41	T	13	10.6	15	12.2
42	S	10.2	5.1	13.6	13.7
43	S	5	8.5	14.2	15
44	S	5	8	15	17
45	S	5	5	15	13.3
46	T	5	6	10	14.5
47	S	5	10	10	17
48	S	5	11	10	17
49	S	5	11	10	16.4
50	T	5	11	16	22
51	S	5	10	11	33
52	S	5	10	10	40
53	S	5	10	10	59
54	S	5	12.8	15	30
55	S	5	5	15	29.4
56	S	5	5	15	31.2
57	T	5	5	18	35.3
58	S	6	5	22.8	38.8
59	T	8	7	22	40
60	S	10	7.9	12.4	40
61	T	6.6	6.8	15	57
62	S	31.8	8	15	17
63	T	10	5	25	28
64	S	5	5	18.7	23.7
65	S	5	5	11	20
66	T	5	5	19.5	25
67	S	7.8	6	32	25.6
68	T	5	10	16	24
69	S	10	5	26	18.7
70	T	5	7.58	15	15.2
71	S	5	6	15	21
72	T	5	5	16	52

The following distances represent the useable rear yard (with less than 10% slope). These distances are measured from the rear of the house to the closest slope or property line.

**TRACT 2311**  
Serenade Homes

Lot No.	Single/Two-Story	Useable Rear Yard (feet)
1	T	17
2	S	28.5
3	T	6
4	S	15.3
5	S	14.9
6	S	10
7	S	12
8	T	12
9	S	10
10	T	17
11	S	14.9
12	T	31.3
13	S	47
14	T	17
15	S	12
16	S	26
17	T	14
18	S	11
19	S	8
20	T	14.5
21	S	17.5
22	T	24.5
23	S	21
24	S	12.5
25	S	16
26	T	22
27	S	16.6
28	T	23
29	S	12.5
30	S	23.5
31	S	15
32	S	8.5
33	T	9
34	S	11
35	T	10.5
36	T	30.5
37	S	26.5

**TRACT 2611**  
The Summit at Deer Park

Lot No.	Single/Two-Story	Useable Rear Yard (feet)
1	S	11.9
2	S	10
3	S	12.7
4	S	17.3
5	S	31.6
6	T	24.4
7	T	32.3
8	T	35.9
9	S	12
10	T	34.3
11	S	20.3
12	T	35
13	T	36.7
14	S	20.3
15	T	36.3
16	S	20.8
17	T	31.8
18	T	28.8
19	T	31.5
20	T	20
21	T	13.3
22	T	30.2
23	T	29.6
24	T	29.9
25	T	27.7
26	T	29.7
27	T	31.6
28	S	20
29	T	34.9
30	T	36
31	S	20
32	T	35
33	S	15.8
34	S	13.3
35	T	28.3
36	S	10.6
37	S	55.7

The following distances represent the useable rear yard (with less than 10% slope). These distances are measured from the rear of the house to the closest slope or property line.

**TRACT 2311**  
Serenade Homes

Lot No.	Single/Two-Story	Useable Rear Yard (feet)
38	S	24
39	S	11.5
40	S	10
41	T	12.2
42	S	13.7
43	S	15
44	S	17
45	S	13.3
46	T	14.5
47	S	17
48	S	17
49	S	16.4
50	T	13
51	S	17.5
52	S	15.5
53	S	16
54	S	15
55	S	14.4
56	S	15
57	T	6
58	S	15
59	T	19
60	S	25
61	T	14
62	S	17
63	T	21
64	S	16.5
65	S	13
66	T	11
67	S	25.6
68	T	24
69	S	18.7
70	T	15.2
71	S	48
72	T	54
Average =		17.6

**TRACT 2611**  
The Summit at Deer Park

Lot No.	Single/Two-Story	Useable Rear Yard (feet)
38	T	66.8
39	T	20
Average =		27.0

**Exhibit 7 a,b**  
Usable Rear Yard Exhibit  
PD 04-017  
(J.M. Wilson/Centex)

**LOT SIZE SUMMARY - COMPARISON**

Tract 2311, Serenade Homes

Lot	Area SF
8 (smallest)	4,208
67 (largest)	18,360
Average Lot size (SF)	6,796.6

Tract 2311 was a development within the R-2 zoning district. The project was proposed with a single-family-detached type product. The Planned Development process was used in order to allow such a project, with setbacks reduced from what was generally allowed for that type of project. Most reduced setbacks were front and rear.

Tract 2611, The Summit at Deer Park

Lot	Area SF
18 (smallest)	4,380
37 (largest)	9,836
Average Lot size (SF)	5,520.4

Tract 2611 is within the R-1 zoning district. In the last General Plan update, this property was rezoned to have a new density designation of RSF-6 (6 du/acre). Previous to the new density designation being adopted, the maximum density in the R-1 zone was 4 du/acre. The Planned Development process is being used for this project in order to conform to the density designation. As with the Serenade tract, this tract development is also requesting reduced setbacks, generally side yard.

Tract 1771, Deer Park Estates

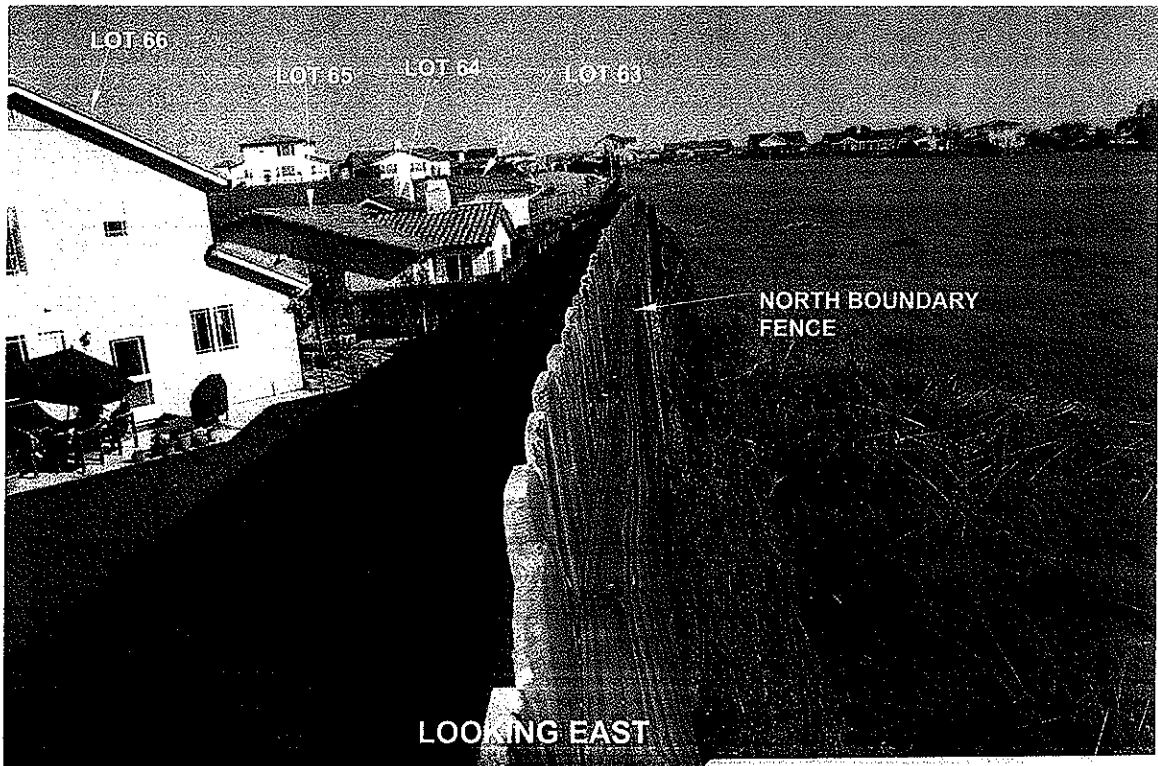
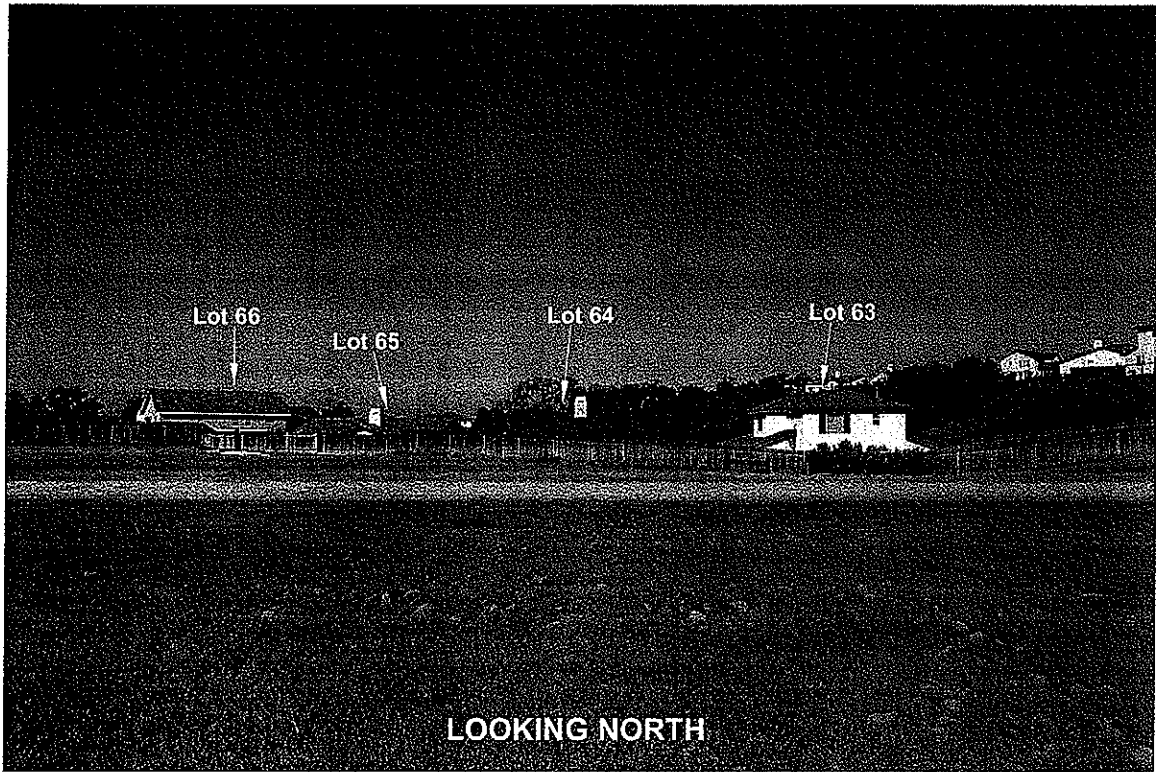
Lot	Area SF
106 (smallest)	7,216
193 (largest)	37,296
Average Lot size (SF)	12,548.2

Tract 1771 was a development within the R-1 zoning district. The density designation was 3 du/acre. No planned development was proposed with the entitlement process for this tract. Therefore, no reductions in setbacks were requested.

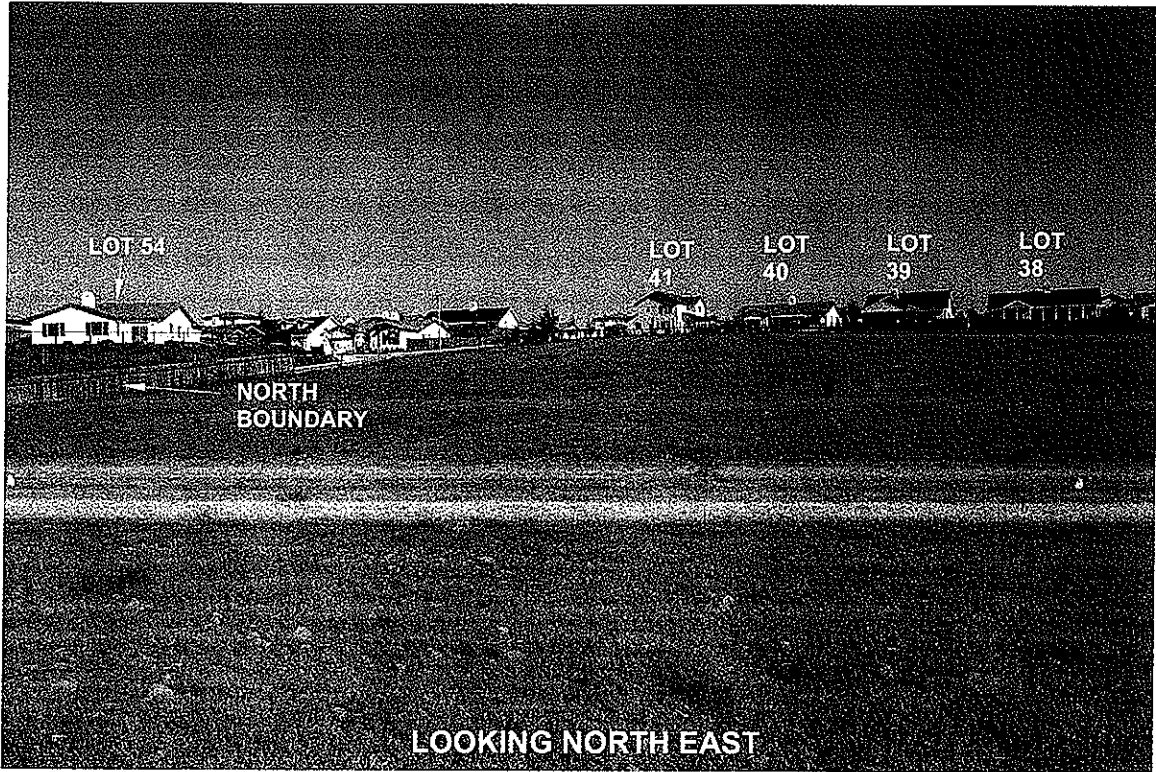
**PRODUCT COMPARISON**

	<b>Tract 2311 Serenade Homes</b>	<b>Tract 2611 The Summit at Deer Park</b>	<b>Tract 1771 Deer Park Estates</b>
# of Single Story Homes	47	15	121
# of Two Story Homes	25	24	66
Homes not yet constructed	0	—	9
Total # of Homes	<u>72</u>	<u>39</u>	<u>196</u>
% Single Story	65%	38%	62%
% Two Story	35%	62%	34%

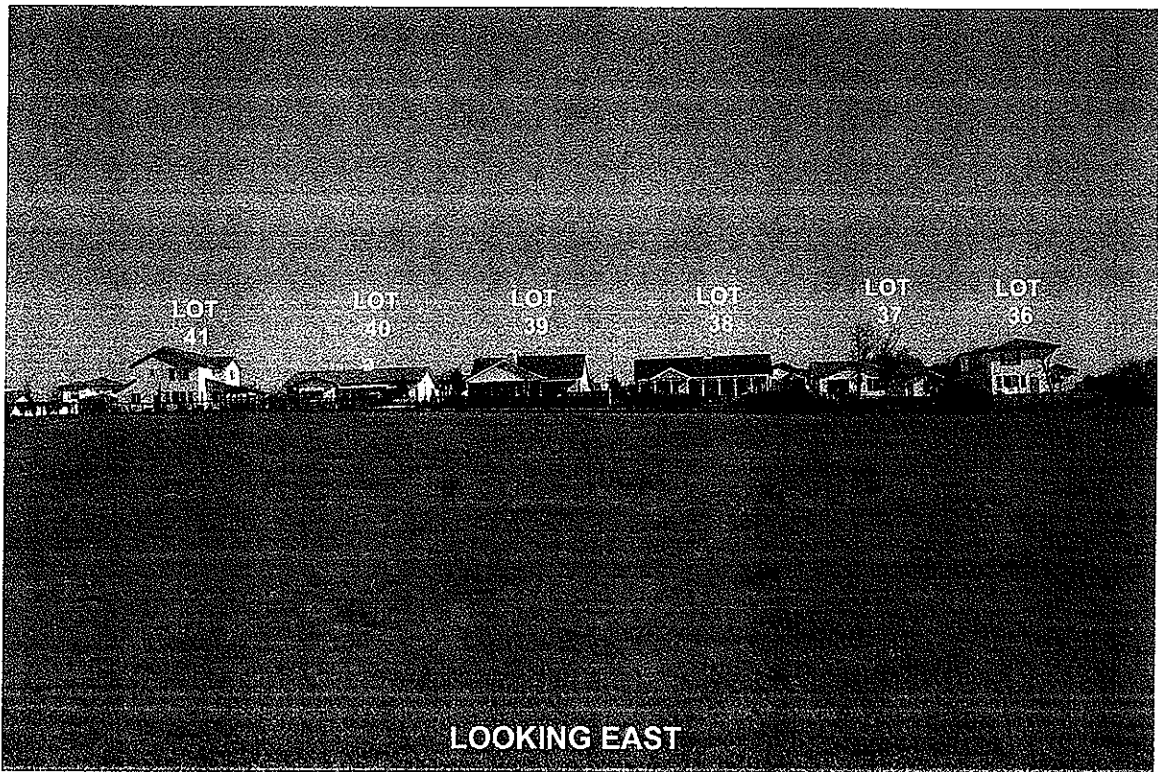
**Exhibit 9**  
**Product Comparison**  
**PD 04-017**  
**(J.M. Wilson/Centex)**



**Exhibit 10 a-d**  
Photos  
PD 04-017  
(J.M. Wilson/Centex)

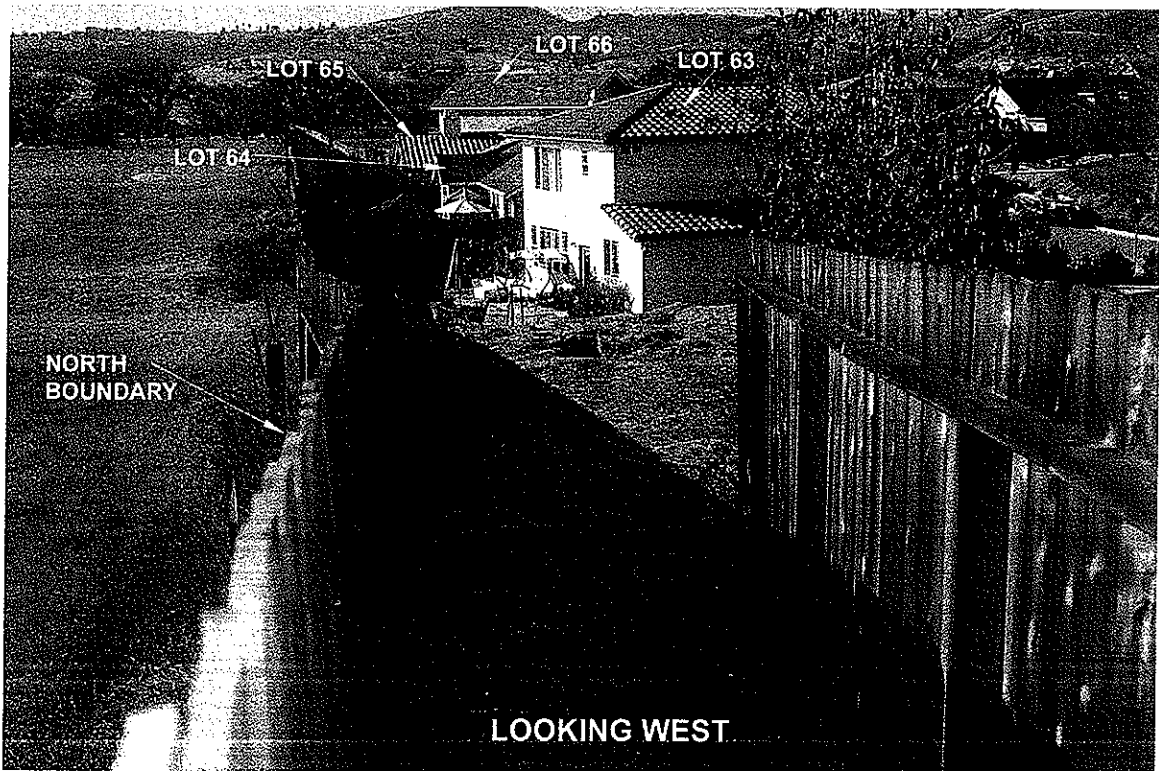
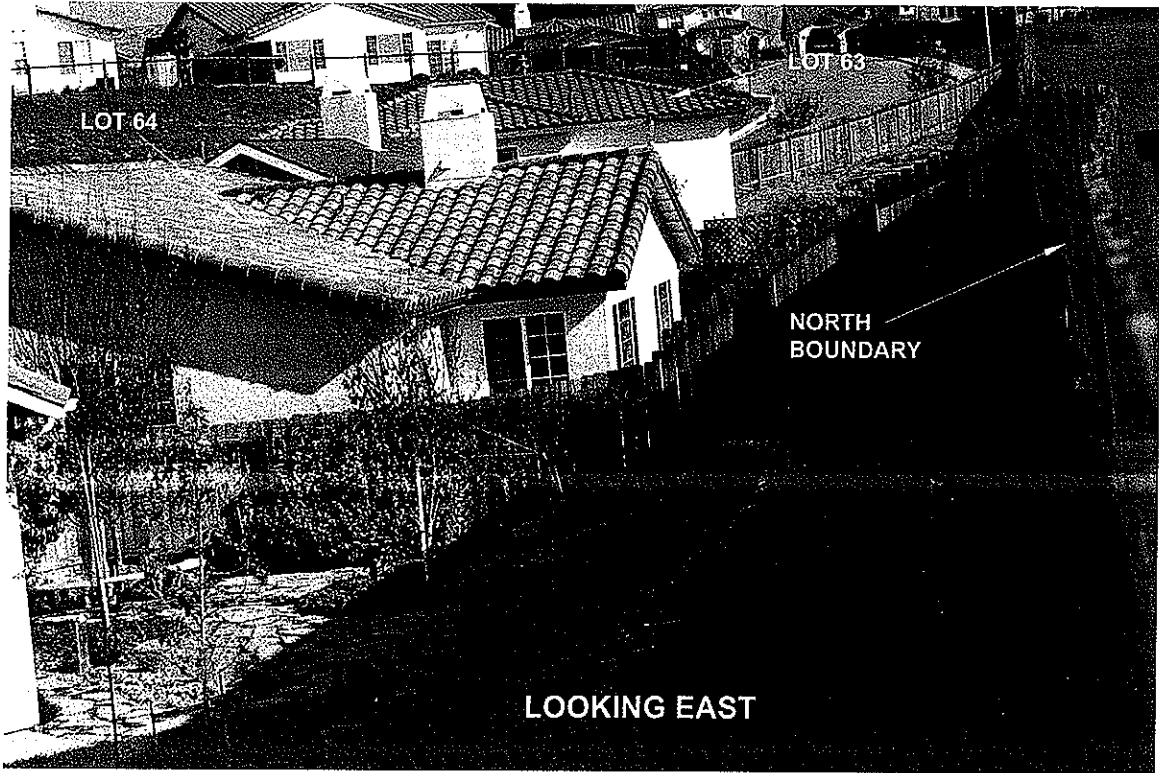


LOOKING NORTH EAST

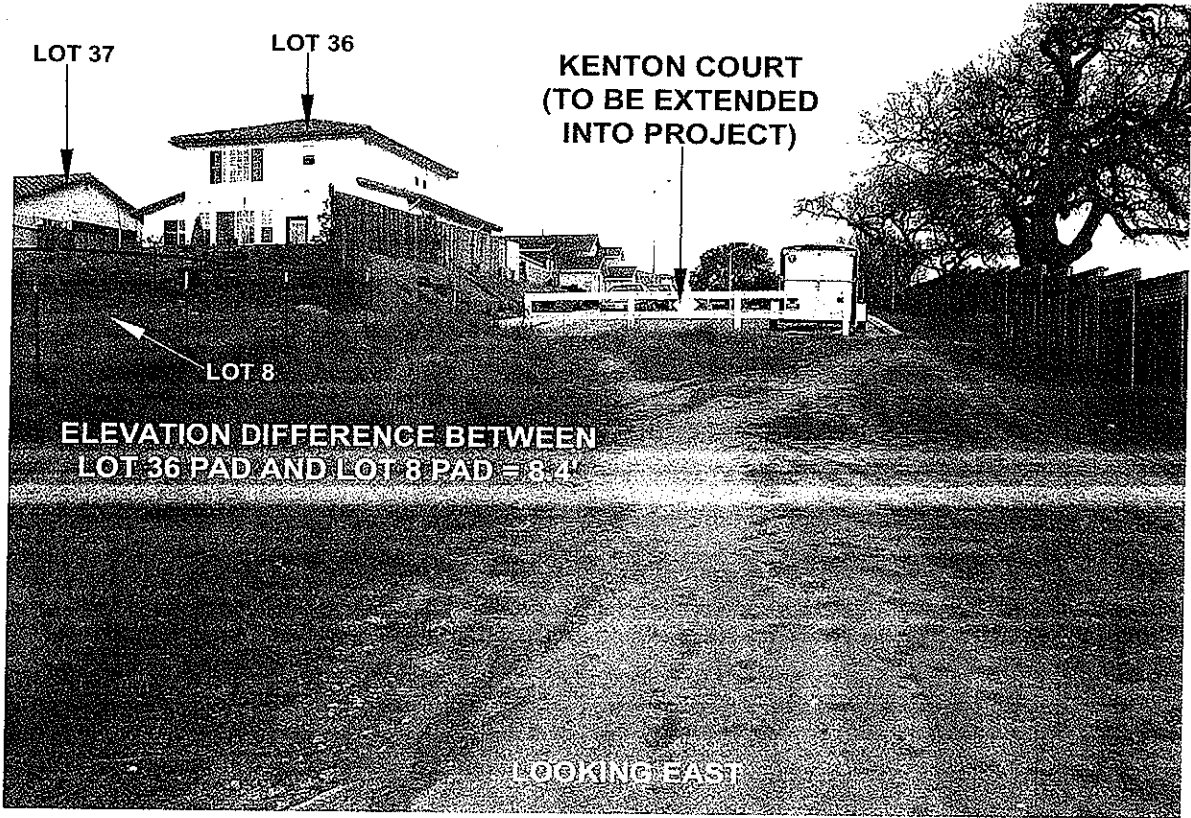


LOOKING EAST

104







LOT 37

LOT 36

KENTON COURT  
(TO BE EXTENDED  
INTO PROJECT)

LOT 8

ELEVATION DIFFERENCE BETWEEN  
LOT 36 PAD AND LOT 8 PAD = 8.4'

LOOKING EAST

10d

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

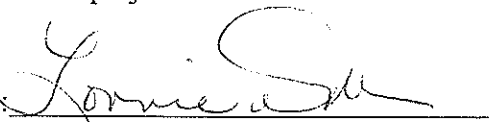
Newspaper: Tribune

Date of Publication: June 8, 2005

Meeting Date: June 21, 2005  
(City Council)

Project: Appeal Planned Development  
04-017, (JM Wilson/Centex)

I, Lonnie Dolan, employee of the Community  
Development Department, Planning Division, of the City  
of El Paso de Robles, do hereby certify that this notice is  
a true copy of a published legal newspaper notice for the  
above named project.

Signed:   
Lonnie Dolan

CITY OF EL PASO DE ROBLES

NOTICE OF PUBLIC HEARING:

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing on June 21, 2005, to consider an appeal of the Planning Commission's decision to approve Planned Development 04-017 at their meeting on May 24, 2005. The appeal application has been filed by "Serenade and Deer Park Residents".

Planned Development 04-017 along with Tentative Tract Map 2611 and Rezone 04-008 is a project that consists of the following: a tentative tract development plan and rezone, filed by North Coast Engineering on behalf of J.M. Wilson Development, for the creation of a 45 lot residential subdivision for the development of 45 single family homes. Also requested is to rezone the property to be consistent with the RSF-4 and RSF-6 Land Use Designations. The project would be located 1650 South River Road.

The Planning Commission at their meeting on December 14, 2004 approved Tentative Tract 2611 and the associated Negative Declaration but denied Planned Development 04-017. The Planning Commission also recommended that the City Council approve Rezone 04-008. The Commission, on a 4-2 vote denied the Planned Development based on concerns regarding applicants request to use of 2-story homes, 5-foot side yard setbacks as well as the proposed small lot sizes.

The Planning Commission at their meeting on May 24, 2005, on a 4-3 vote approved a revised plan from Centex Homes for Planned Development 04-017. The appeal is based on the residents wanting to see additional single story models added to the project and that setbacks for two-story homes should be larger than what is being proposed.

The City Council meeting will begin at the hour of 7:30 pm in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.

Written comments on the proposed appeal may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970.

If you challenge the appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or City Council at, or prior to, their respective public hearings.

Darren Nash, Associate Planner

June 8, 2005


5190277

**AFFIDAVIT  
OF MAIL NOTICES**

**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Lonnie Dolan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Appeal of Planned Development 04-017 (Appellant: Serenade and Deer Park Residents/ Project: PD 04-017 (Centex/Wilson) on this 9th day of June, 2005.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed:   
Lonnie Dolan