

City of El Paso de Robles

RESOLUTION NO: 90-103

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
GRANTING NEGATIVE DECLARATION STATUS FOR
TENTATIVE TRACT 1771
(COKER ELLSWORTH)

WHEREAS, Coker Ellsworth has filed Tract 1771 for the subdivision of an approximate 91 acre site into 195 single family residential lots and one open space lot located on the north side of Charolais Road, between South River Road and Rambouillet Road, and

WHEREAS, a Background Information Report and Initial Study were prepared for this project (Attached as Exhibits A and B), and

WHEREAS, a public hearing was conducted by the Planning Commission on March 27, 1990 and by the City Council on April 17, 1990, May 1, 1990 and June 19, 1990, to consider the initial study prepared for this application, the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision, and

WHEREAS, based on the mitigation measures identified and required within the resolution granting tentative map approval for Tract 1771, the City Council finds that the project will not have a significant effect in this case because mitigation measures have been included as requirements of project development.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso De Robles does hereby grant a Negative Declaration status for Tentative Tract 1771 subject to the following mitigation measure:

1. All conditions contained within the City Council resolution granting tentative map approval to Tract 1771 (on file in the Community Development Department) shall be implemented.

PASSED AND ADOPTED THIS 19th day of June, 1990 by the following roll call vote:

AYES: Conway, Reneau and Martin
NOES: Cousins and Russell
ABSTAIN: None
ABSENT: None


MAYOR STEVEN W. MARTIN

ATTEST:


JERRY BANKSTON, CITY CLERK

DEVELOPMENT APPLICATION BACKGROUND INFORMATION

Date of Preparation: February 14, 1990
Prepared By: Meg Williamson

FILE #'s: Tract 1771

APPLICANT: Coker Ellsworth

PROJECT LOCATION: North side of Charolais Road, between South River Road and Rambouillet Road

PROJECT DESCRIPTION:

The applicant desires to subdivide an approximate 91 acre site into 195 single family residential lots and one open space lot.

ENVIRONMENTAL SETTING:

A. SITE

1. Site Size: Approximately 91 acres
2. General Plan Designation: Low Density Residential
3. Zoning: R-1
4. Topography: The site is varied with both gently sloping terrain as well as steep drop-off areas along the western and northern boundaries. The slope percentages generally range between 0 to 35 percent with a main knoll feature at the northeast edge of the project, sloping down to the southwest, and a series of smaller knolls and ridges along the western side of the project.
5. Flood Zone Status: Most of the site slopes down toward Charolais Road at a range of approximate 5 - 15 percent. Two major drainage swales are on site and have steep slopes. These are described as follows:
 - a. "Unnamed Creek No. 1" (so named by the 1981 Flood Insurance Study) which is the major creek between Creston and South River Roads and which traverses the northeast corner of the site; slopes range from 40 percent plus. No development is proposed on this steep slope area.

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- b. A natural swale in the northwest corner of the site has slopes which range between 30 and 40 percent. This swale is proposed to be retained in the rear lot areas of residential lots.
6. Vegetation: There are numerous mature oak trees located on the site. The majority of the trees proposed to be removed are in conjunction with the construction of Charolais Road.
7. Existing Land Use and Improvements: The site is vacant.
8. Utilities:
- a. Water: No water is available to the site at this time. Water service would be available for hook up within South River Road and Rambouillet Road.
- b. Sewer: No sewer is available to the site at this time. Sewer service would be available for hook up within South River Road.
9. Access to Circulation System:
- a. Charolais Road: --The project has frontage on and access to Charolais Road, which is a designated 100 foot arterial road. The existing right-of-way width is 60 feet, and the applicant proposes to dedicate the remaining 40 feet and improve the northern portion of the arterial.
- b. Interior streets: All proposed lots would take their access from a series of interior streets, proposed to be standard local section design. A local street is proposed to be stubbed out to residential property to the north.

B. SURROUNDING PROPERTIES (General Plan; Zoning; Land Use)

- North: Low Density Residential; R-1, B-3 and R-1; Two single family homes on large acreage parcels and 6,000 sq. ft. subdivision and open space area.
- South: County Residential Rural (5 acre minimum lots); single family residential development.
- East: Low Density Residential and Open Space; R-1 and OS; a single family residential subdivision with 8,000 square foot lot minimums (Tract 1754) and vacant open space area.
- West: Low Density Residential; R-1, B-3; vacant land, with an approved 8 lot tentative tract map of 20,000 square foot minimum lot sizes.

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PREVIOUS DEVELOPMENT HISTORY OF SITE

1. Annexation #34 (Munari): approved by the City Council on 8-16-79 subject to an annexation contract (executed on 8-27-79) which required the following:
 - a. Payment of annexation fees, prior to approval of a final subdivision map, for public safety impact (15 percent of which have been paid) and bridge development (NOTE: the annexation bridge development fee is in addition to those bridge development fees required by Ordinance 500 N.S.);
 - b. Compliance with the mitigation measures required by EIR 79054.
2. Rezone 79009 (Ord. 430 N.S.): adopted by the City Council on 6-19-79 which established the current R-1 and OS zoning.
3. EIR 79054: prepared for Annexation #34 and Rezone 79009 was certified by the Planning Commission on 5-8-79; city Council approved the Planning Commission's action on 5-15-79.
4. Parcel Map PR 79-156: divided the site into four parcels. This parcel map was granted tentative map approval by the Planning Commission on 11-27-79 and recorded on 6-9-80.
5. Rezone 87008, Tract 1346 and Planned Development 87007 (Munari): proposed to establish R-1, PD zoning in order to modify hillside ordinance grading standards and to create 263 single family residential lots. These applications were denied, without prejudice, by the City Council on 5-16-89 (Resolution 89-60), based on adverse environmental impacts resulting from proposed density, grading treatment and inadequate circulation design.

INITIAL STUDY AND NEGATIVE DECLARATION

DATE: February 16, 1990

FILE #: Tract 1771

APPLICATION: To subdivide an approximate 91 acre site into 195
single family residential lots and one open space lot.

APPLICANT: Coker Ellsworth

1. PROJECT DESCRIPTION AND LOCATION: Please see attached Development Application Background Information Report.
2. ENVIRONMENTAL SETTING: Please see attached Development Application Background Information Report.
3. IDENTIFICATION OF ENVIRONMENTAL EFFECTS: Please see attached Initial Study Checklist.
4. MITIGATION MEASURES FOR SIGNIFICANT ENVIRONMENTAL EFFECTS:
If any of the items on the Initial Study checklist are marked "Yes/Maybe", please see the attached Discussion of Environmental Evaluation for any mitigation measures for this project.
5. CONSISTENCY OF PROJECT WITH EXISTING GENERAL PLAN, ZONING AND OTHER LAND USE CONTROLS:
 - This project is consistent with the City's General Plan, Zoning Ordinance and other land use controls.
 - This project involves a request to change the General Plan, Zoning Ordinance, and/or other land use controls.
6. PERSONS PARTICIPATING IN THE PREPARATION OF THIS INITIAL STUDY:
 - Meg Williamson, Associate Planner
 - George Wolfrank, Assistant City Engineer
7. DETERMINATION: On the basis of this Initial Study:
 - 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 the mitigation measures described on the attached sheet have been added to the project. A Negative Declaration will be prepared.

Ed Gallagher
Environmental Coordinator

INITIAL STUDY CHECKLIST

FILE #s: Tract 1771
 APPLICATION: To subdivide an approximate 91 acre site into 195 single family residential lots and one open space lot
 APPLICANT: Coker Ellsworth

This Initial Study Checklist was completed by reviewing the project application in light of the following:

- a. The City's General Plan, Municipal Code and adopted Standards;
- b. Environmental information and studies maintained by the City;
- c. Consultation, when necessary, with Responsible and Trustee Agencies, as defined by CEQA, and other interested parties;
- d. Observation of the project site in the field.

All items checked "Yes/Maybe" will be discussed in the section entitled "Discussion of Environmental Evaluation" attached to this checklist.

If an item is checked "No", the project will either not have a significant effect on the environment, or, any potential significant effects will be mitigated by standard conditions of development required by the City.

Item	Environmental Impact	Yes/Maybe	No
1.	<u>LAND USE, POPULATION, HOUSING:</u>		
a.	Alteration of present or planned land use in an area.....		X
b.	Compatibility with existing or planned land uses in an area.....	X	
c.	Alteration of location, distribution, density or population growth rate of an area.....		X
d.	Affect existing housing or create demand for additional housing.....		X
e.	Airport Land Use Plan.....		X
2.	<u>CIRCULATION/TRANSPORTATION:</u>		
a.	Traffic generation.....	X	
b.	Traffic access, movement, hazards.....		X
c.	Pedestrian, bicycle systems.....	X	
d.	Parking facilities.....		X
e.	Emergency vehicle access.....		X
f.	Air, rail operations.....		X

Item	Environmental Impact	Yes/Maybe	No
3.	<u>GEOLOGY AND SOILS:</u>		
a.	Unstable earth, changes in geological substructures.....		X
b.	Changes to soil strata (disruption, displacement, compaction, etc.).....	X	
c.	Exposure of people or property to landslides and seismic hazards.....		X
d.	Increase in soil erosion.....		X
4.	<u>SURFACE AND SUBSURFACE WATER:</u>		
a.	Changes to groundwater flows.....		X
b.	Groundwater quality and quantity.....		X
c.	Streamcourse alteration and siltation.....		X
d.	Increase in runoff, storm drainage impact.....	X	
e.	Other water-related impacts.....		X
5.	<u>VEGETATION AND ANIMAL LIFE:</u>		
a.	Oak trees.....	X	
b.	Other vegetation concerns.....		X
c.	Wildlife habitats.....		X
d.	Other wildlife concerns.....		X
6.	<u>AIR QUALITY:</u>		
a.	Creation of air emmissions.....		X
b.	Creation of objectionable odors.....		X
c.	Alteration of air movement patterns.....		X
d.	Other air quality concerns.....		X
7.	<u>PUBLIC SERVICES AND UTILITIES:</u>		
a.	Fire protection.....		X
b.	Police protection.....		X
c.	Water service.....	X	
d.	Sewer service.....	X	
e.	Street maintenance.....		X
f.	Other governmental services.....		X
g.	Public schools.....		X
h.	PG&E.....		X
i.	So. California Gas Co.....		X
j.	Sonic Cable TV, Pacific Bell.....		X
k.	Solid waste disposal.....		X

Item	Environmental Impact	Yes/Maybe	No
8.	<u>HEALTH AND SAFETY:</u>		
a.	Noise: Creation of or exposure to.....		X
b.	Light & Glare: Creation of.....		X
c.	Electromagnetic disturbance, radiation.....		X
d.	Health hazards: Creation of or exposure to.....		X
e.	Fire, Explosion, Chemical spill.....		X
9.	<u>AESTHETICS:</u>		
a.	Visually-sensitive area or corridor.....	X	
b.	Hillside, grading issues.....	X	
c.	Other aesthetic concerns.....		X
10.	<u>PARKS, RECREATION, AND OPEN SPACE:</u>		
a.	Impact on public parks and recreation.....		X
b.	Generates need for private recreation.....		X
c.	Need to maintain open space.....	X	
11.	<u>CULTURAL, HISTORICAL, AND ARCHAEOLOGICAL:</u>		
a.	Historic and/or cultural sites.....	X	
b.	Archaeological sites.....	X	
12.	<u>NATURAL RESOURCES AND ENERGY:</u>		
a.	Natural resources supply.....		X
b.	Energy supply.....		X
13.	<u>MANDATORY FINDINGS OF SIGNIFICANCE:</u>		
a.	Potential to degrade the quality of the environment, substantially reduce the habitat of a wildlife species, cause wildlife population to drop below self-sustaining levels, threatened 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.....		X
b.	Potential to achieve short-term, to the disadvantage of long-term, environmental goals.....		X
c.	Impacts which are individually limited, but cumulatively considerable.....		X
d.	Substantial adverse effects on human beings, either directly or indirectly.....		X

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B. DISCUSSION OF ENVIRONMENTAL EVALUATION:

1. Item 1b (Land Use):

The project is located directly north (adjacent) to unincorporated County properties where lot sizes range from 5 to 7 acre parcels (Spanish Camp). Although there is existing smaller lot (6,000 square foot minimums) single family residential development to the northeast of this tract beyond the open space area of the creek to the north, this tract is directly on the boundary of more rural county land. This transition should be accounted for within this tract.

The applicant proposes minimum lot sizes of approximately 12,000 square feet for those lots which abut the Charolais Road frontage. An adjacent tract, Tract 1754, was approved by the City Council with minimum lot sizes of 10,000 square feet adjacent to Charolais Road. This was found by the City Council to be an acceptable buffer to the more rural densities to the south. The applicant's minimum lot sizes exceed this 10,000 square foot minimum and would seem acceptable in this case.

2. Item 2a and 2c (Traffic Generation):

o 2a - Traffic generation:

Charolais Road is designated as a 100 foot arterial road within the City's Master Circulation Plan. The existing Charolais Road right-of-way is 60 feet. The Public Works Department's analysis identifies the need for this tract to provide the remaining 40 foot dedication from within this tract site. The full 100 foot dedicated width and improvements of a minimum of a half street, median and additional 12 foot travel lanes have been identified as improvements necessary to handle traffic which would be generated as a result of this tract. These minimum improvements to Charolais Road should be included as tract development conditions.

o 2c - Pedestrian travel ways:

There is an existing bike/pedestrian pathway system which exists beyond this tract within the open space to the north and east. This pathway system was required to be developed during the construction of Tract 1420 as well as Tract 1754. The open space belt to the north of this subdivision connects at its western end with the new Pat Butler Elementary which is currently under construction. The pathway system, however, has not been completed to the Pat Butler School at this time.

The applicant is proposing a 10 foot wide public pedestrian access between lots 77 and 78 at the eastern boundary of the

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tract. A public pedestrian linkage through the project is a necessary step in improving a pathway system. However, in order to be able to provide a convenient access for children living within this tract to access the new elementary school, it should be the responsibility of this developer to improve a pathway system connecting through to the school grounds.

3. Item 3b (Geology and Soils):

There is a substantial amount of cut and fill proposed in conjunction with the development of Charolais Road as well as some of the interior streets. The amount of grading in conjunction with lot development has been reduced since the map was initially reviewed by the City. The plan eliminates pad grading in many areas and "daylights" grading before reaching dripline areas and more sensitive slopes.

The applicant has designed the tract consistent with the City's Hillside Grading Ordinance. This includes proposed differences in relative pad elevations (side and rear yards) as well as non-grading in areas which are more sensitive based on slope and vegetation. Compliance with this adopted ordinance would indicate that the grading proposal is within acceptable levels.

4. Item 4d (Drainage):

The Public Works Department has indicated that a detailed drainage study would be required of the developer and off-site drainage easements may be necessary to service this project. Obtaining such drainage easements should be a condition of tract approval (unless retention basins are approved as an option).

5. Item 5a (Oak Trees):

There are a substantial number of mature oak trees located on this site. The applicant had submitted a report with commentary and recommendations from an arborist (dated August 31, 1989). The report should be amended to reflect the revisions which have been made to the tract since its submittal. The recommendations contained within the revised report should be implemented in addition to recommendations made by staff within the tract analysis and included in those resolutions.

The arborist report states that approximately forty (40) 8" - 36" diameter and twenty (20) 2" - 8" diameter oaks would be removed in conjunction with tract development/construction of Charolais Road.

Although the City's Oak Tree Preservation Ordinance clearly establishes preservation as a goal, it appears that in order to

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improve Charolais Road to a safe and adequate travel way, that these oaks would necessarily be removed. The applicant should be responsible for replacement of all oaks removed at a ratio of two for every one tree removed.

6. Item 7c, and 7d (Public Services):

7c: (Water): The Public Works Department's analysis indicates that there is a need the developer to install water lines within Charolais Road to service this tract. This line would be required to be a minimum of 12 inches, or as is designated within the City's Master Water Plan Update. A looped water system (two sources of water) would be required for adequate fire protection to this development.

7d: (Sewer): The Public Works Department's report indicates that sewer infrastructure is not available within Charolais Road and that developer would have to extend necessary lines to obtain service to this project.

7. Item 9a and 9b (Aesthetics):

9a: (Visually Sensitive Area): Based on the proximity of this project to adjacent, larger properties to the south (Spanish Camp), the rural character existing at the "edge" of the City, and the generally higher elevations of properties to this project, special consideration should be paid to the development of the project.

There are residential lots proposed along a bluff which is along the western boundary of the tract and highly visible from areas to the west and south. In addition, the residential lots along the northern boundary of the tract are also situated on a ridge that would be highly visible to the residential neighborhoods to the north. Therefore, in order to minimize changes in the visual profiles of these ridge areas, it is recommended that residential building height restrictions be placed on those lots which abut these perimeter areas.

9b: (Hillside Grading Issues): The topography of the site generally ranges between 0 and 15 percent, with pockets of areas (arroyos, or natural swales) which are steeper. It is recommended that development of the site be specifically conditioned to ensure sensitivity of grading on the parcels when they are being developed with homes.

The use of "benching" for split level home development and the incorporation of stem wall construction (stem wall is recommended to be used as a complementary construction technique, rather than as the only means of hillside development treatment) is

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recommended as a required treatment for lot development. These standards should be established within CC & Rs for the project and the developer should be required to provide constructive notice in a manner acceptable to the City Attorney.

In addition, all lots in the subdivision would be required to obtain Architectural Review Committee approval prior to issuance of grading or building permits.

8. Item 10c (Parks, Recreation and Open Space):

The developer is proposing to dedicate approximately 11.3 acres of open space which is mainly oak forested hillside with contains a meandering stream. In addition, an open space easement is proposed along the rear of lots located in the northwest corner of the tract site.

All open space should be dedicated in fee simple to the City and maintained through a benefit maintenance district. The dedicated open space area should be linked to adjoining open space through a pedestrian/bike pathway system.

This open space dedication would nearly complete an open space belt which stretches between Creston Road at the east and South River Road at the west.

9. Item 11b (Cultural, Archaeological):

The preliminary archaeological studies conducted in conjunction with the Environmental Impact Report for the Munari Annexation in 1979 identified potential archaeological sites within this subdivision. The applicant submitted an archaeological survey prepared by Charles Dills, dated November 9, 1988. This report indicates that the major portion of the site is clear of archaeological significance. However, it recommends that lots 31 through 45 be rechecked during the grading and construction process. It is recommended that the developer be conditioned to monitor grading in conjunction with tract development.