

RESOLUTION NO. 97-102
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES DENYING AN APPLICATION
TO AMEND PLANNED DEVELOPMENT 95008 AND TENTATIVE TRACT 2214
(APPLICANT: ORRADRE)

WHEREAS, on March 19, 1996, City Council of the City of El Paso de Robles in Resolutions 96-29 and 96-30 approved Planned Development 95008 and Tentative Tract 2214, applications to subdivide an approximate 9-1/2 acre site into 90 residential parcels and common space areas, generally located east of Creston Road at Stoney Creek Drive (2000 Creston Road), and

WHEREAS, Site Specific Condition 30 of City Council Resolution 96-29 requires the Planning Commission to approve changes to the phasing of the construction of dwelling units and amenities if the changes do not substantially comply with the original phasing scheme, and

WHEREAS, an application to amend Planned Development 95008 and Tentative Tract 2214 was filed by the Orradre Family Trust to revise the phasing plan for the development, and

WHEREAS, at their meeting of May 13, 1997, after consideration of public testimony, the Commission adopted Resolutions 97-021 and 97-026 approving an amendment to Tentative Tract 2214 and Planned Development 95008, respectively, and made findings as required by the City of Paso Robles Zoning Code, and

WHEREAS, a letter of appeal has been filed by the Orradre Family Trust on May 28, 1997, requesting that the City Council consider the removal of the conditions imposed by the Planning Commission for the approval of the amendment to Tentative Tract 2214 and Planned Development 95008 which require the construction of the complete perimeter walls and landscaping for the entire project with the initial construction of Phase I of the project; and

WHEREAS, a public hearing was conducted by the City Council on June 17, 1997 and July 1, 1997, to consider facts as presented in the staff report prepared for this project, to accept public testimony regarding this proposed development plan, and to consider the action taken by the Planning Commission.

NOW, THEREFORE, based upon the facts and analysis presented in the staff reports and public testimony, the City Council of the City of El Paso de Robles jointly and severally makes the following findings:

- 1) That the phasing plan considered by the Planning Commission on 1997 is inconsistent with the development map and conditions previously approved by the City on March 19, 1996; the public testimony, staff reports and findings supporting the City's prior approval of Planned Development 95008 and Tentative Tract 2214 are incorporated herein by reference;

- 2) The phasing plan considered by the Planning Commission is incompatible with surrounding development, will create a disharmonious or disruptive element to the neighborhood and would be contrary to the public's health, safety and welfare;
- 3) The phasing plan is inconsistent with the open space standards of the Multiple Family Residential Districts zoning regulations contained within Section 21.16I.180 of the Municipal Code in that individual phases would not meet these standards on their own;
- 4) The entire length of Stoney Creek Road needs to be developed in the first phase, as required by the prior approval of Planned Development 95008 and Tentative Tract 2214 in order to provide safe pedestrian access for students at Virginia Peterson Elementary School.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso De Robles, as follows

- 1) The application to amend the phasing plan for Tract 2214 and Planned Development 95008 is hereby denied.
- 2) Resolutions 97-021 and 97-026 adopted by the Planning Commission on May 13, 1997 are hereby repealed in their entirety.
- 3) The original conditions of approval imposed by the City Council on March 19, 1996 for Planned Development 95008 and Tentative Tract 2214 in Resolutions 96-29 and 96-30, adopted are hereby reaffirmed.


PASSED AND ADOPTED THIS 15th day of July, 1997 by the following roll call vote:

AYES: Baron, Iversen, Swanson, and Picanco

NOES: Macklin

ABSTAIN: None

ABSENT: None


MAYOR DUANE PICANCO

ATTEST:


MADELYN PAASCH, CITY CLERK

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