

RESOLUTION NO. 97-107

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
AMENDING TENTATIVE TRACT MAP 2223
(FRANK ARCIERO AND SONS)
APNS: 25-402-14 THROUGH 20**

WHEREAS, on April 22, 1987, the City Council approved General Plan Amendment 87-01 to the General Plan of the City of El Paso de Robles, establishing the requirement for a Specific Plan to be prepared for the area bounded by Union Road, Highway 24, North River Road, and Prospect Avenue, referred to as the "Union/46 Specific Plan Area;" and

WHEREAS, on March 1, 1988, the City Council adopted the Union/46 Specific Plan; and

WHEREAS, on February 18, 1992, the City Council amended the Union/46 Specific Plan; and

WHEREAS, the Union/46 Specific Plan contains specific development and design standards for key segments of the Plan Area; and

WHEREAS, on August 26, 1996, the Planning Commission of the City of El Paso de Robles in Resolution 96-052 approved Tentative Tract Map 2223, the subdivision of an approximately 40 acre site into 103 single family residential parcels, two detention basins and open space area, generally located north of Union Road, west of Prospect Avenue and south of Highway 46 East; and

WHEREAS, on April 23, 1997, an application to amend Tentative Tract Map 2223 was filed by Frank Arciero and Sons in conjunction with an application to amend Planned Development 96005 to

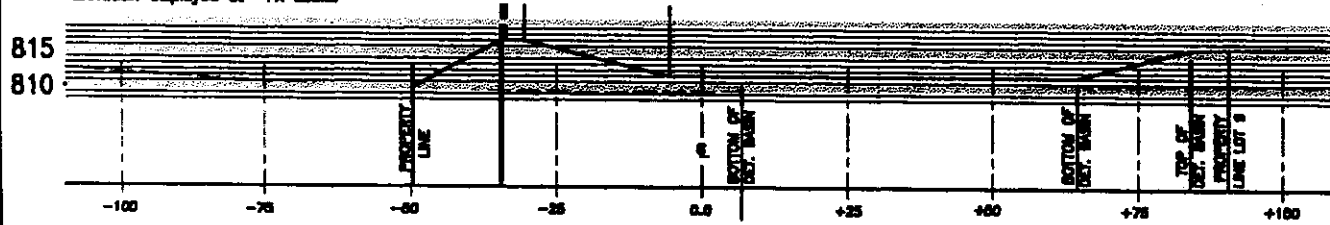
- Eliminate the requirement for this development to install the full street improvements of Mesa Road from Prospect Ave. to Golden Hills Road.
- Add a gravel fire lane as a secondary emergency access.
- Change the design of the noise/privacy wall along Highway 46 to be a straight line and eliminate the "jogs."
- Eliminate the landscaping along the Highway 46 side of the northern perimeter wall and add trees to the interior side of the wall along Highway 46.

RIMC CODE:
DATE:
FILE PLAN/GE CAT.:
SUBJECT:
LOCATION:
RETENTION:
OTHER:

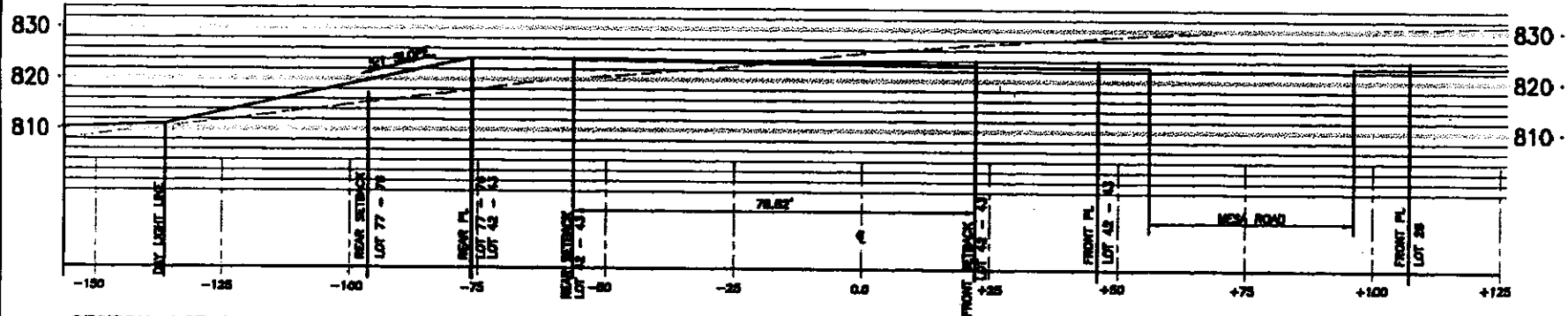
Community Development Department
August 5, 1997
Current Planning/Subdivisions and Planned Development
Tract 2223/PD 96005 (Arciero) - Tract Resolution
Development Services File Room
Permanent
mo/pds/T2223/t2223-cc.res

Exhibit D - Cross Sections
 Amendment approved by City Council 8/5/97
 Page 1 of 7

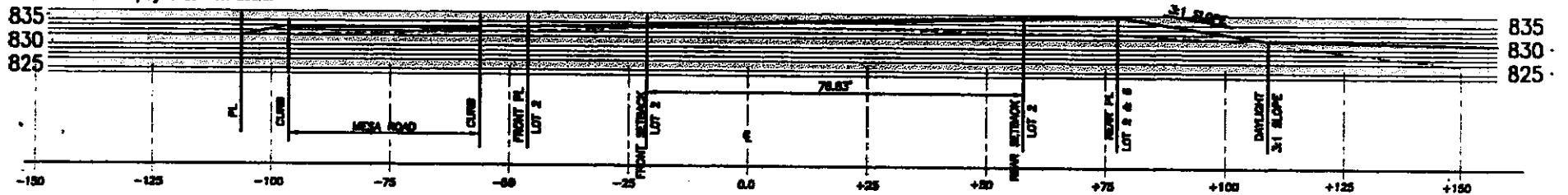
SECTION: DETENTION BASIN EAST-WEST
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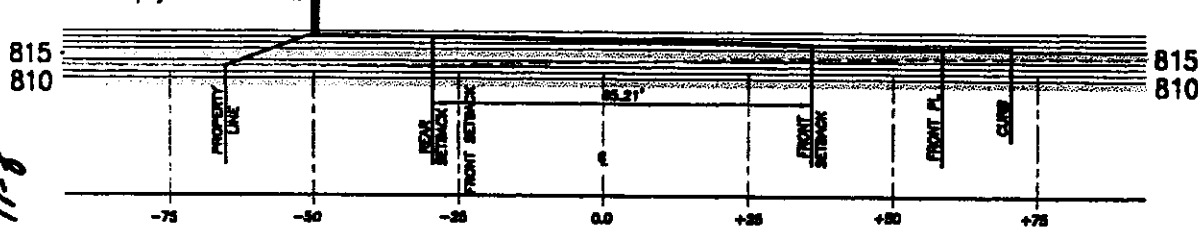
SECTION: LOT 42 - 43
 Elevation displayed at 1X scale.



SECTION: LOT 2
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SECTION: LOT 8
 Elevation displayed at 1X scale.



EMK & Associates, Inc. Survey - Design - Engineering		TRACT NO. 2228 DETENTION DET. BASIN, LOT 2, LOT 8, LOT 42-43	
PROJECT NO. _____ SHEET NO. _____ DATE _____		PREPARED BY _____ CHECKED BY _____ DATE _____	

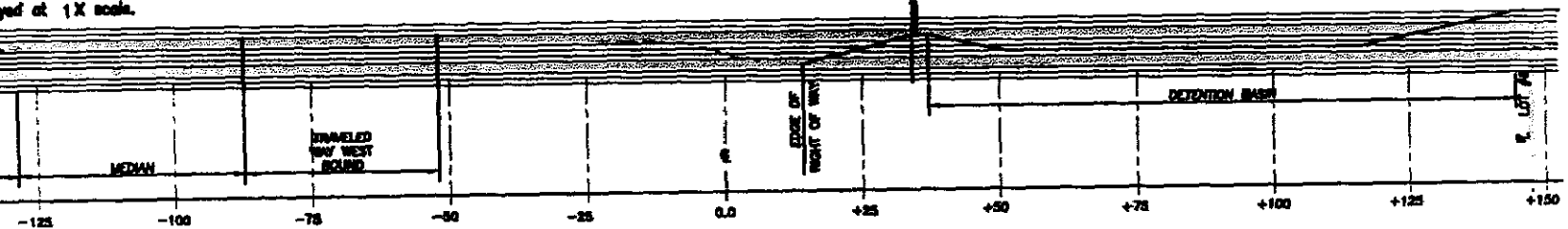
11-8

Exhibit D - Cross Sections

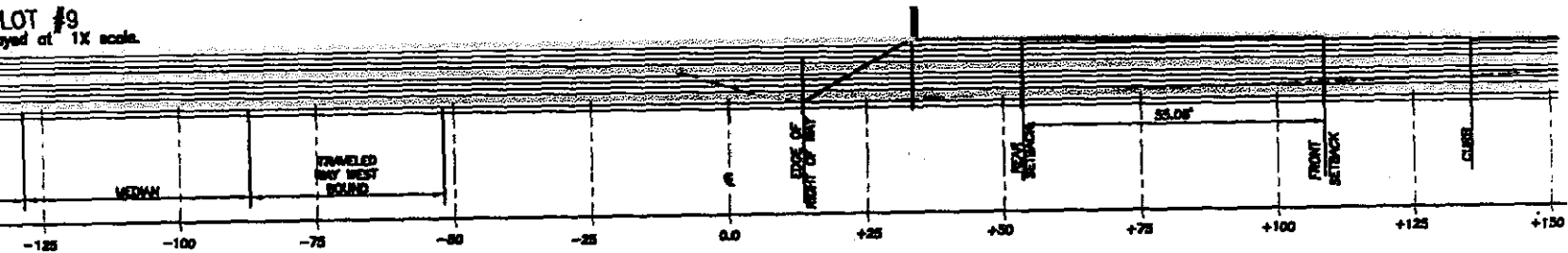
Amendment approved by City Council 8/5/97

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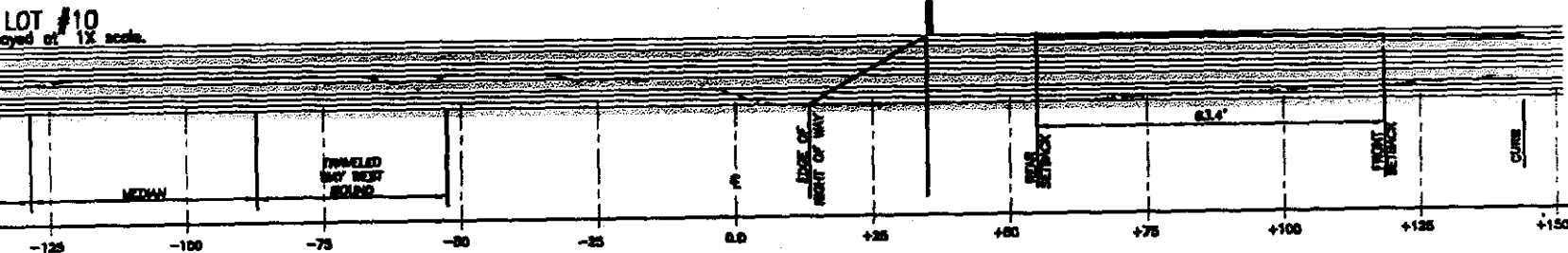
DETENTION BASIN
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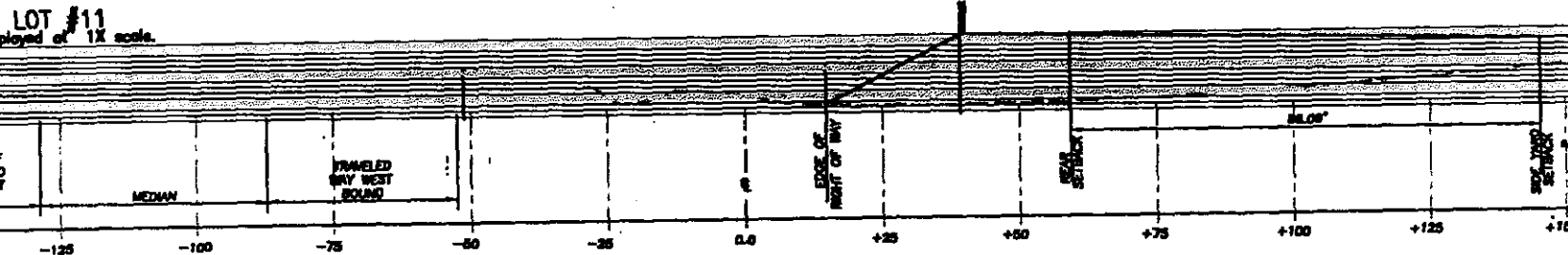
LOT #9
 shown at 1X scale.



LOT #10
 shown at 1X scale.



LOT #11
 shown at 1X scale.

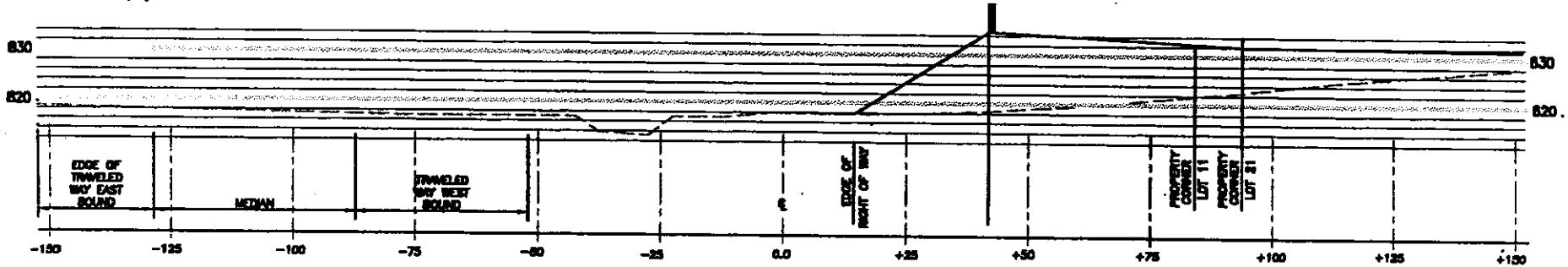


EAK & Associates, Inc.	
1000 S. 10th St., Suite 100	
Tulsa, Oklahoma 74106	
Phone: (918) 438-1111	
Fax: (918) 438-1112	
E-mail: eak@eakinc.com	
Web: www.eakinc.com	

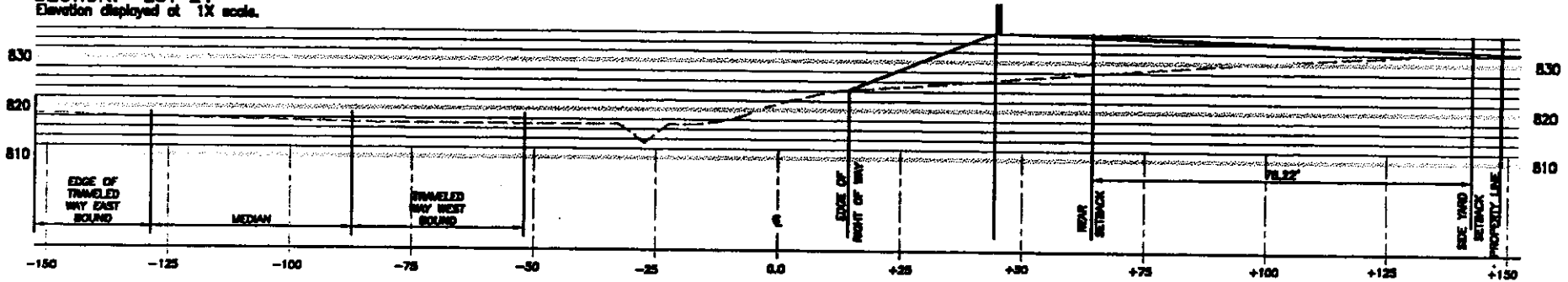
TRACT NO. 228	
SHOWING LOT 11-10-2	
DATE OF PREPARED: 10/1/97	
DRAWN BY: J. L. H.	
CHECKED BY: J. L. H.	
APPROVED BY: J. L. H.	

Exhibit D - Cross Sections
 Amendment approved by City Council 8/5/97
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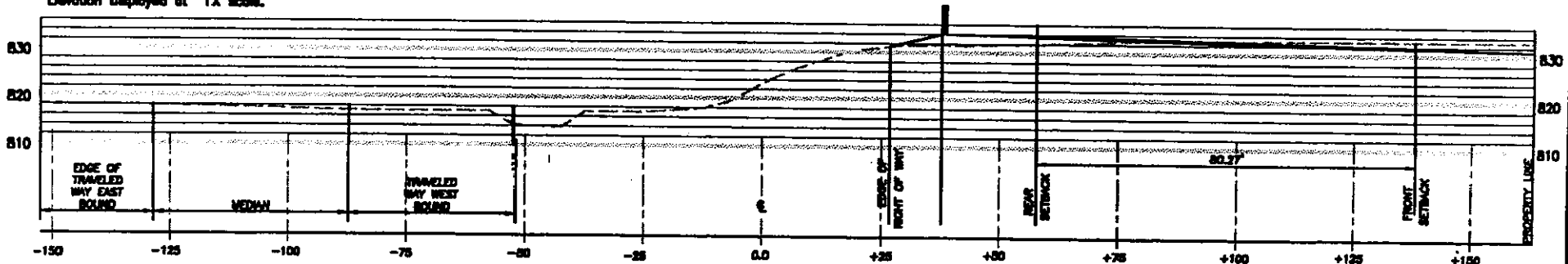
SECTION: PROPERTY LINE LOT 21 & LOT 11
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SECTION: LOT 21
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SECTION: LOT 22
 Elevation displayed at 1X scale.



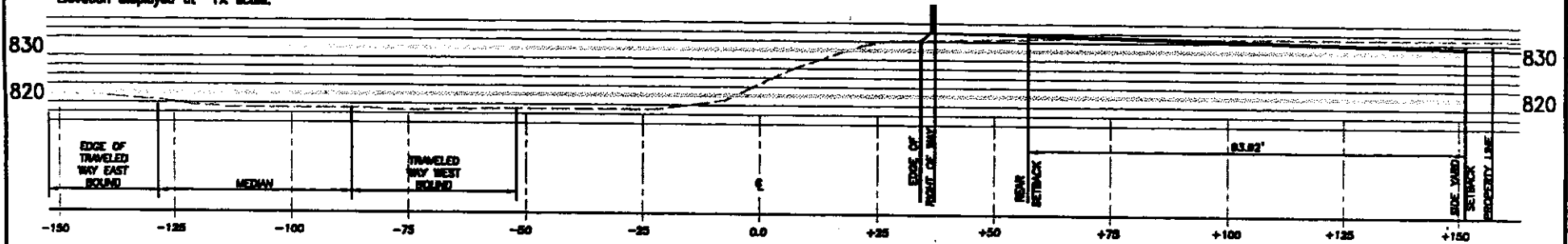
EMK & Associates, Inc. Surveyors - Engineers		TRACT NO. 2228	
SHOWING: PL LOT 21 - LOT 11, LOT 21, LOT 22		DATE: 8/5/97	
PROJECT NO. 2228		SHEET NO. 3	
DATE: 8/5/97		BY: [Signature]	
CHECKED BY: [Signature]		DATE: 8/5/97	
APPROVED BY: [Signature]		DATE: 8/5/97	

Exhibit D - Cross Sections

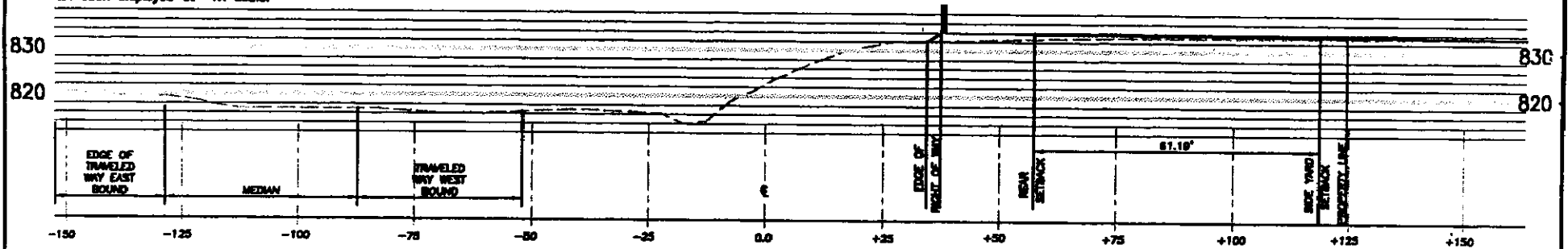
Amendment approved by City Council 8/5/97

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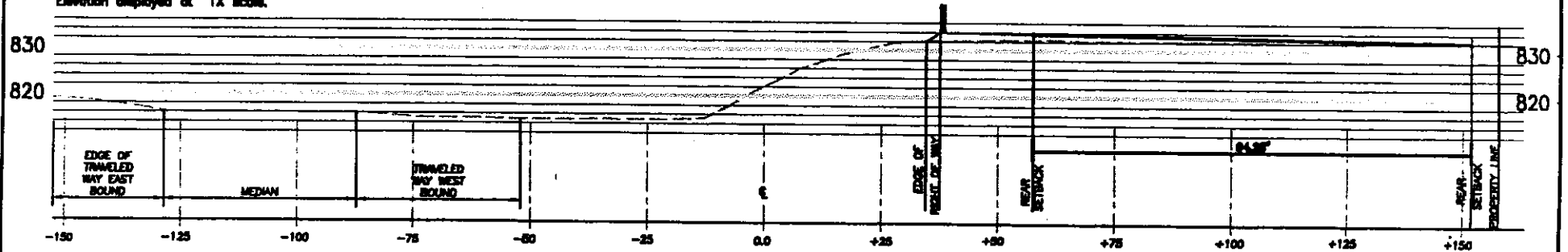
SECTION: LOT 23
Elevation displayed at 1X scale.



SECTION: PROPERTY LINE LOT 33 & LOT 23
Elevation displayed at 1X scale.



SECTION: LOT 33
Elevation displayed at 1X scale.



8-14

EMK & Associates, Inc. ENGINEERS - PLANNERS - ARCHITECTS		TRACT NO. 2228 SHOWING LOT 23 - LOT 33	
PREPARED BY: [] CHECKED BY: [] DATE: []		APPROVED BY: [] DATE: []	

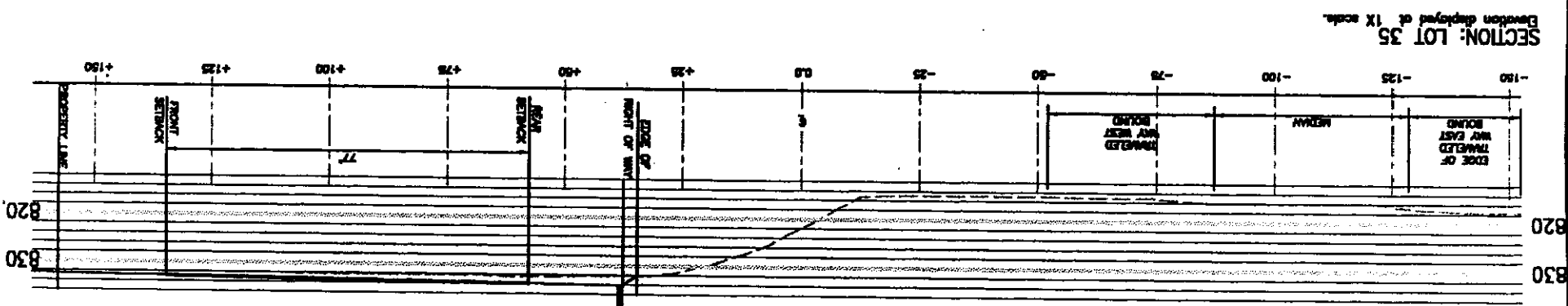
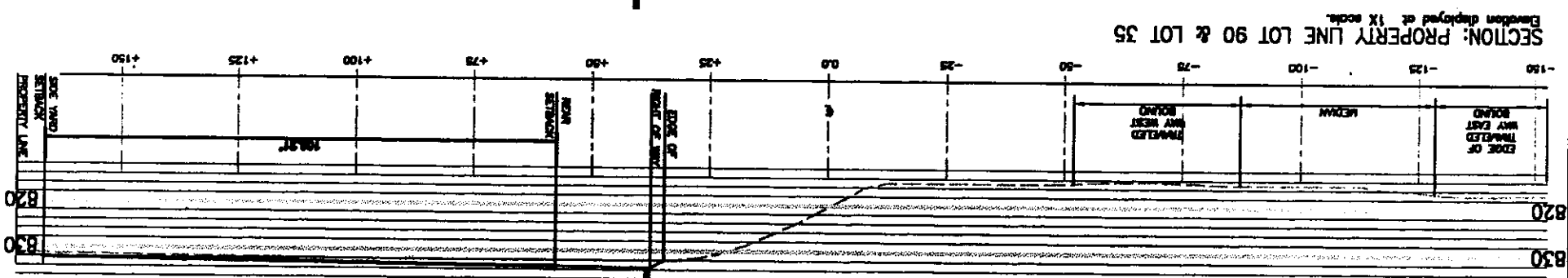
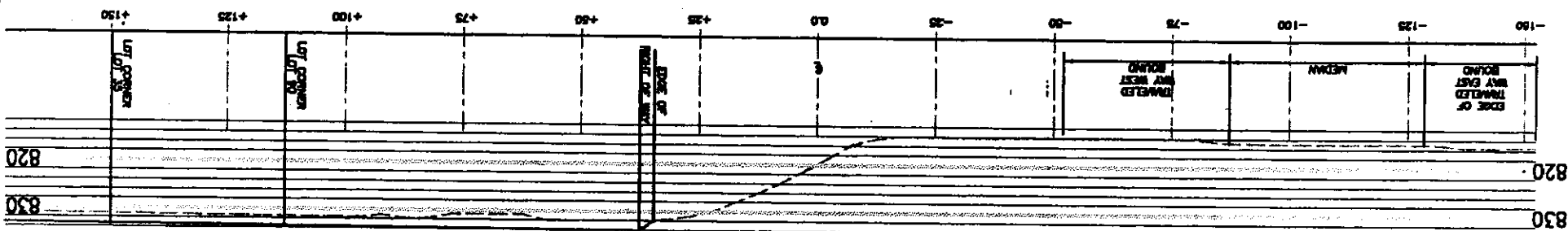
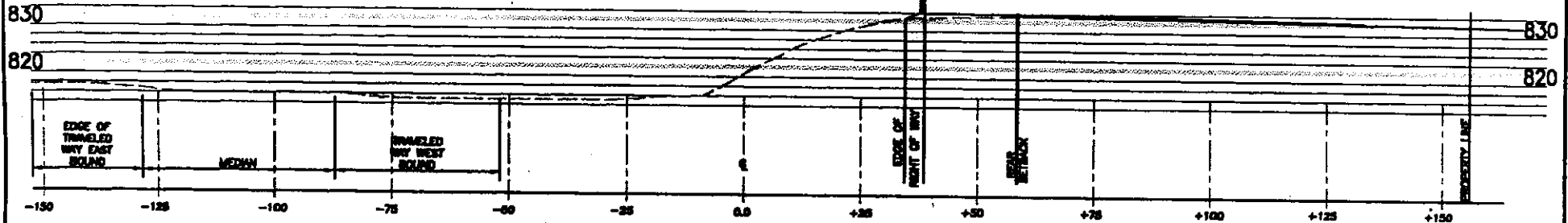
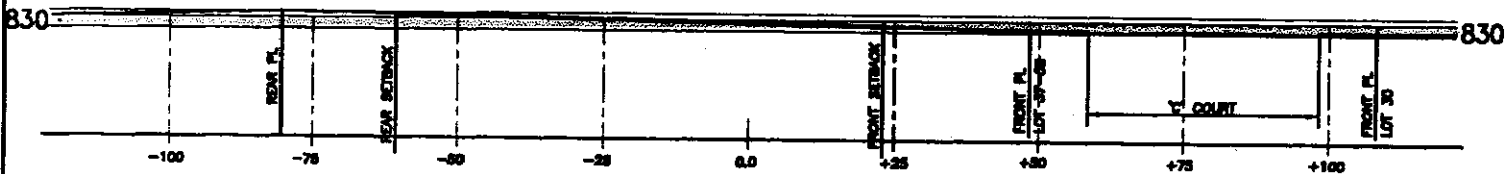


Exhibit D - Cross Sections
 Amendment approved by City Council 8/5/97
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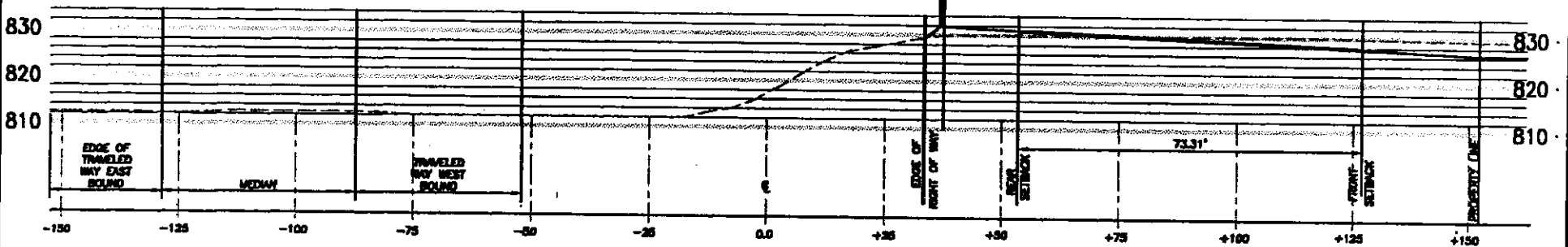
SECTION: LOT 90
 Elevation displayed at 1X scale.



SECTION: BETWEEN LOT 37 & 38
 Elevation displayed at 1X scale.



SECTION: LOT 91
 Elevation displayed at 1X scale.

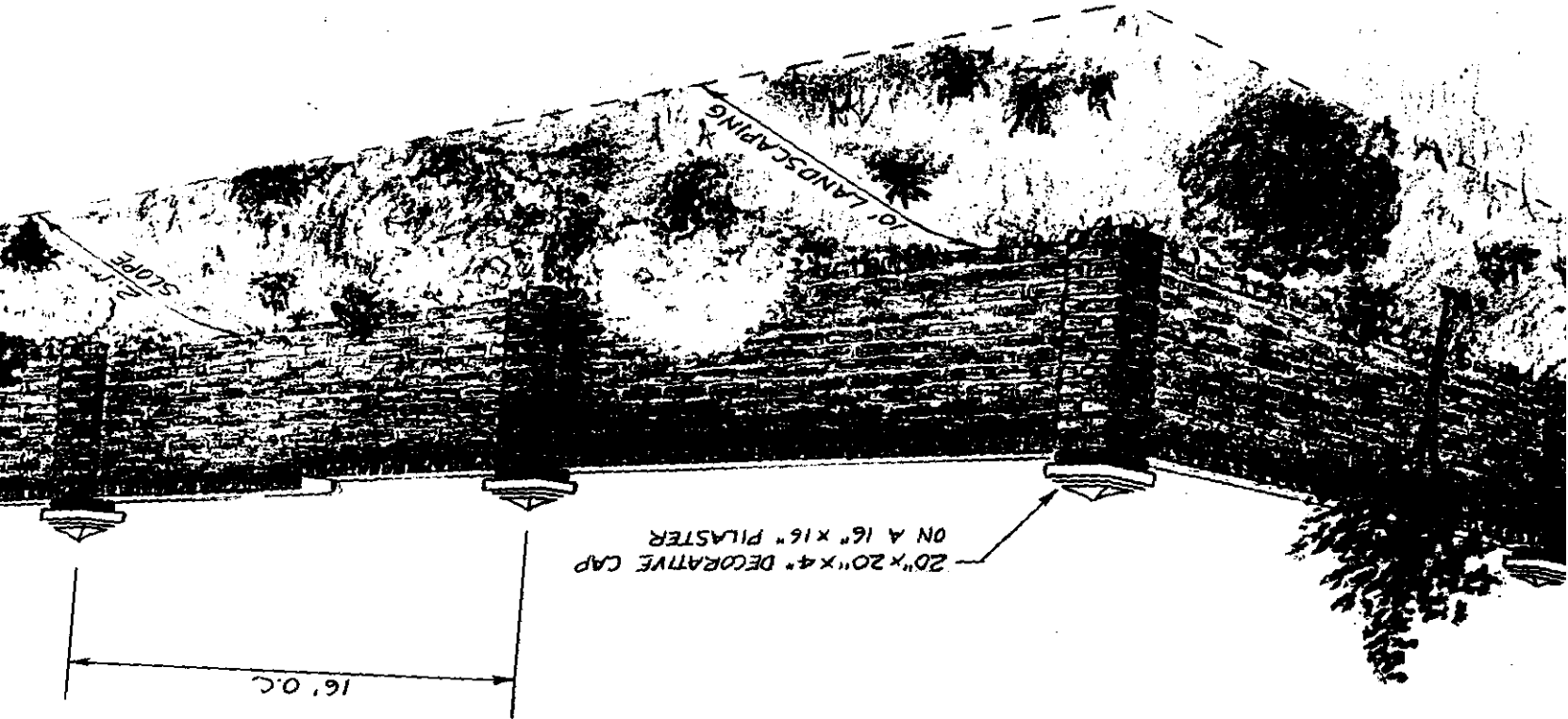


EAK & Associates, Inc. TRAFFIC ENGINEERS		TRACT NO. 2228	
SECTION: PROP. LN LOT 37-38, LOT 90, LOT 91		DATE: 8/5/97	
PROJECT NO. 2228		SHEET NO. 6	
DRAWN BY: [Signature]		CHECKED BY: [Signature]	
DATE: 8/5/97		SCALE: 1" = 40'	

8716

Adm. F - Slump Stone Wall (Detail)
Adm. approved by City Council 8/5/97

HIGHWAY FRONTAGE



6" SLUMP STONE WALL
(DETAIL)

- Eliminate the maintenance road north of the northern perimeter wall along Highway 46
- Change the construction of the maintenance road to the sewage lift station from a paved drive to a gravel drive.
- Limit the landscaping along the maintenance road to hydro-seeding the areas where need for slope stabilization.
- Eliminate the playground equipment from the detention basin in Phase I.
- Add one residential single family lot by reducing the open space lot; and

WHEREAS, at their meeting of June 10, 1997, after consideration of public testimony, the Planning Commission took the following actions regarding the proposed amendment to Planned Development 96005 and Tentative Tract 2223:

- a. Considered the facts and analysis, as presented in the staff report prepared for the application to amendment to Planned Development 96005 and Tentative Tract 2223;
- b. Conduct a public hearing to obtain public testimony on the application to amendment to Planned Development 96005 and Tentative Tract 2223;
- c. Adopted Resolution 97-029 approving an amendment to Planned Development 96005 and adopted Resolution 97-028 approving an amendment to Tentative Tract 2223, and made findings as required by the City of Paso Robles Zoning Code; and

WHEREAS, a letter of appeal was been filed by Frank Arciero & Sons on June 19, 1997, appealing the Planning Commission's June 10, 1997, decision and requesting that the City Council approve the amendment request as originally proposed; and

WHEREAS, an Environmental Impact Report (EIR) was prepared for the Union/46 Specific Plan area and the EIR was certified for adequacy by the City Council in February of 1988; and

WHEREAS, there has been no significant increase or change in the severity of identified effects of the Specific Plan's build out since the preparation and certification of said EIR in 1988; and

WHEREAS, there has been no significant change in land use patterns within the surrounding area to this project, or significant changes to traffic circulation circumstances (with the exception of the installation of a traffic signal at the Golden Hill Road and Highway 46 intersection which has improved the traffic circulation circumstances beyond that which was initially identified within the certified EIR); and

WHEREAS, per Section 15182 of the State's Guidelines to Implement CEQA (California Environmental Quality Act), this residential project is in compliance with the Specific Plan for which the aforementioned EIR was prepared and will therefore not require any additional environmental review; and

WHEREAS, a public hearing was conducted by the City Council on July 1, 1997, and July 15, 1997, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed amendment to Tentative Tract 2223 and associated Planned Development 96005.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby determine the following, based upon the facts and analysis presented in the staff reports, and public testimony:

I. Findings

The City Council of the City of El Paso de Robles does hereby make the following findings based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions of approval listed below as required by Government Code Section 66474:

1. As conditioned, the following items of the proposed amendment to the tentative subdivision map is consistent with the adopted General Plan for the City of El Paso De Robles.
 - Develop Mesa Road to local rural standard from Prospect Ave. to Golden Hills Road.
 - Develop Prospect Ave. to local rural standards from Union Road. to Mesa Road, including a concrete sidewalk, natural gas line and sewer line.
 - Add a gravel fire lane as a secondary emergency access.
 - Change the design of the noise/privacy wall along Highway 46 to be a straight line and eliminate the "jogs."
 - Limit depth of the landscaping along the Highway 46 side of the northern perimeter wall to ten feet.
 - Eliminate the maintenance road north of the northern perimeter wall along Highway 46
 - Limit the landscaping along the maintenance road to hydro-seeding the areas where need for slope stabilization.
 - Eliminate the playground equipment from the detention basin in Phase I.
 - Add one residential single family lot by reducing the open space lot.
2. As conditioned, the amendments listed in Finding 1 are consistent with the Zoning Ordinance;
3. The site is physically suitable for the type of development proposed;
4. The site is physically suitable for the proposed density of development;

5. The design of the subdivision with the amendments listed in Finding 1 is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
6. The design of the subdivision with the amendments listed in Finding 1 are not likely to cause serious public health problems;
7. The design of the subdivision with the amendments listed in Finding 1 will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision;
8. The proposal to improve Mesa Road to the local rural standard will adequately serve the proposed project as a secondary access and is consistent with the Union/46 Specific Plan which requires street improvements as part of the development process. The access would not be disharmonious or a disruptive element to the surrounding area.
9. A straight noise/privacy wall along Highway 46 with a landscaping area of ten feet deep along the wall's north side would be consistent with the Union/46 Specific Plan and would be sensitive to the surrounding area. The policies and development standards contained within the Union/46 Specific Plan emphasize the importance of the Highway 46 corridor for affecting an impression of the community of Paso Robles. A straight wall with ten feet of landscaping on the north side would satisfy the intent of the Union/46 Specific Plan.
10. The request to eliminate the requirement to pave the sewage lift station access road is inconsistent with the Zoning Code, Chapter 21.16A (Planned Development Overlay District Regulations) since it is contrary to the public health, safety and welfare. For long term maintenance, erosion protection, and all-weather access to the lift station, the access road should be paved for heavy equipment to access the facility.
11. Lot 104 is consistent with the Union/46 Specific Plan. Only one oak is located on Lot 104 and a residential dwelling unit may be build on the property without requiring the removal of one or more oaks. The future home would not block the view of the oak woodland.

II. Tentative Tract Amendment Approval

The City Council of the City of El Paso de Robles does hereby amend Tentative Tract Map 2223 as follows:

1. Prospect Ave. is amended to be dedicated as a public easement and the street improvements for Prospect Ave. are revised to include a concrete sidewalk on one side of the street, and the installation of sewer lines and natural gas lines.
2. Mesa Road is amended to be improved as a local rural street (standard A-7) east of the intersection with Prospect Ave.

3. The landscaping adjacent to the north side of the Highway 46 noise/privacy wall is revised to be designed without high maintenance ground cover that would necessitate a maintenance access road. The project landscaping adjacent to Highway 46 shall be limited to ten feet in depth and subject to final review and action by the Development Review Committee.
4. The design of the noise/privacy wall along Highway 46 is revised to be a straight line without "jogs" as shown on Exhibit B.
5. The requirement for a maintenance road to the slope area adjacent to Highway 46 is eliminated (Condition 14 of Resolution 96-052).
6. The requirement to install playground equipment in the detention basin of Phase I is eliminated. (Condition 23 of Resolution 96-052).
7. The landscaping for the maintenance access road to the sewage lift station shall be limited to hydroseeding where soil has been disturbed.
8. The proposed fire lane located between the Harris property (025-402-021) and the Johnson property (025-402-021) shall be improved as a gravel all-weather road and gated at Prospect Avenue and "A" street; the width and design shall be subject to approval of the Chief of Emergency Services. If not acceptable to the Chief of Emergency Services, the applicant shall be required to provide fire sprinklers as specified in site specific condition no. 27 of Planning Commission Resolution 96-052.
9. The tentative tract map is amended to include Lot 104 as shown on Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso De Robles, does hereby approve the amendment to Tentative Tract Map 2223 subject to the following conditions:

1. The applicant shall comply with all Standard Conditions of Approval and Site Specific Conditions of Approval for Tentative Tract Map 2223, Planning Commission Resolution 96-052 and except as specifically modified by this resolution.
2. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

<u>Exhibit</u>	<u>Description</u>
B	Tentative Tract Map (superseding Exhibit B of Resolution 96-052)
D	Cross Sections (superseding Exhibit D of Resolution 96-052)
F	Slump Stone Wall (Detail)

3. Condition 3 of Resolution 96-052 is amended to read as follows:

The applicant shall install full width of Mesa Road from Golden Hill Road per City Standard A-7 - 32 foot wide pavement, asphalt concrete berm on one side and a drainage swale on the other. Mesa Road outside this tract's boundaries shall be constructed with phase one development. The cul-de-sac shall be constructed per City Standards and Specifications. An access easement west of this cul-de-sac shall be offered for dedication.

4. Condition 4 of Resolution 96-052 is amended to read as follows:

The applicant shall install full width of Prospect Avenue within a 50-foot public road easement Per City Standard A-7--32-foot wide pavement, concrete sidewalk and asphalt concrete berm on one side and a drainage swale on the other. This road shall be constructed with phase one development.

5. Condition 14 of Resolution 96-052 is amended to read as follows:

The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the streetlights, parkway landscaping, detention basins, open space, and slope landscaping along Highway 46.

6. Condition 22 of Resolution 96-052 is amended to read as follows:

The project landscaping adjacent to Highway 46 shall be designed to the following minimum design requirements and shall be subject to final review and action by the Development Review Committee (DRC):

- a) Ten feet of landscaping shall be provided on the north side of the wall and wrapped with the wall along the northeast and northwest corners of the tract, with the final design to be approved by the DRC, based on detailed cross sections. (It is recognized that Cal Trans would not permit trees or wall within 30 feet of their travel lane and that portions of this landscape strip would contain shrubs and ground cover only).
- b) Prior to DRC review, the applicant shall provide verification of Cal Trans' authorization, if necessary, for the landscaping encroachment and proposed palette.
- c) The size and spacing of all landscape materials shall be such that there will be ample coverage of planted areas within one growth season.
- d) Landscape materials (species) shall be used which will create a visual barrier and which will eventually fully screen the wall and the homes beyond. The palette would include large canopy trees such as London Plane and Cottonwoods.

The landscaping plan shall be designed without high maintenance ground cover that would necessitate a maintenance access road. Additionally, shrubs shall be planted within the dripline of trees to avoid conspicuous bare spots, and climbing vine materials shall be used on the wall.

e) Access to the north side of the wall, for maintenance purposes, shall be provided at points determined necessary by the Engineering and Streets Divisions. These access points shall be minimized (at least 1 point) if possible. Fencing, gating and aesthetic treatment of these access points shall be addressed for practicality, appearance, as well as privacy for adjoining parcels.

7. Condition 23 of Resolution 96-052 is amended to read as follows:

The applicant shall provide detailed landscape plans for each of the detention basins for review and approval by the DRC. The expectation for both basins is that the interior shall be planted with turf, and the sloped sides by planted with a combination of shrubs, groundcover and trees. The phase two basin shall function as a passive park and landscaping plans shall include the replanting of the disturbed areas. Planting west of the basin shall include trees and shrubs which are drought tolerant and could be weaned in the future from irrigation.

8. Condition 25 of Resolution 96-052 is amended to read as follows:

The design of the noise/privacy wall adjacent to Highway 46 shall conform with Exhibit F.

9. Standard Conditions, General Condition A.1. is amended to read as follows:

This project approval shall expire on August 5, 1999, unless a time extension request is filed with the Community Development Department prior to expiration.

10. Standard Conditions, D.5. is amended to read as follows:

The subdivider shall offer to dedicate and improve the following street(s) to the standard indicated:

A, B, C, D, E	Local (40 foot curb to curb)	A-5
Street Name	City Standard	Standard Drawing No.
Mesa Road (Prospect Ave. to Golden Hill Rd)	Local Rural (32 ft. paved/AC berm on one side)	A-7
Street Name	City Standard	Standard Drawing No.
Mesa Road (St. "F" to Prospect Ave. including Prospect intersection)	Local (40 foot curb to curb)	A-5
Street Name	City Standard	Standard Drawing No.
Prospect Ave.	Local Rural (32 ft. paved/AC berm on one side)	A-7
Street Name	City Standard	Standard Drawing No.

11. Prospect Ave. shall be improved to standard A-7 and offered for dedication as a public easement prior to the recordation of the Final Map. Prospect Ave. street improvements shall include a concrete sidewalk on one side of the street and include the installation of sewer lines and natural gas lines.
12. In order for this tract to be in conformance with the General Plan, the tract shall be annexed into a Community Facilities District (CFD) that serves to mitigate impacts to public schools. Said CFD shall either be a joint City-School District CFD or a CFD created by the School Districts that the City Council has approved. If at the time that the final map is submitted for approval, proceedings to annex the tract into a CFD have not been completed, the applicant shall record on all lots, a waiver of future protest to the formation of a CFD joint City-School District CFD or a CFD created by the School Districts that the City Council has approved.

PASSED AND ADOPTED THIS 5th day of August, 1997 by the following roll call vote:

AYES: Baron, Iversen, Macklin, and Swanson
NOES: Picanco
ABSTAIN: None
ABSENT: None


MAYOR DUANE PICANCO


CITY CLERK MADELYN PAASCH

