

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION  
FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR  
SUBJECT: TENTATIVE PARCEL MAP PR 06-0133, AT 2130 VINE STREET  
(APPLICANT: MICAH UTTER)  
DATE: NOVEMBER 14, 2006

Needs: For the Planning Commission to consider a Parcel Map application filed by Dan Stewart & Associates on behalf of Micah Utter, to subdivide a 7,000 square foot parcel into two parcels.

- Facts:
1. The site is located at 2130 Vine Street (see attached Vicinity Map).
  2. The General Plan land use designation for the site is RMF-8 (Residential Multi-Family, 8 units per acre). The Zoning designation is R-2 (Low Density Residential).
  3. Based on the site being 7,000 square feet within Blocks 1 -196 (the original subdivision of the City), Section 21.16I.060 of the Zoning Code would allow two dwelling units for this R-2 Zoned lot.
  4. The existing house would remain and be located on Parcel 2. A new house would be built on Parcel 1. The existing detached garage located on Parcel 1 would be removed.
  5. In order to minimize impacts to the existing oak tree, the proposed house on Parcel 1 has been designed with a one car garage. The second parking space is proposed to be a tandem space in front of the garage door.
  6. An Arborist Report has been provided that indicates that the proposed house on Parcel 1 will not have a long-term significant impact to the tree. The Arborist has provided a list of tree protection measures and monitoring requirements during construction activities, these have been incorporated into the attached Resolution.
  7. The Development Review Committee (DRC) reviewed the subdivision at their meeting on October 9, 2006. The Committee recommended that the Planning Commission approve the parcel map as well as the request for tandem parking.
  8. The site is not located within the West Side Historic Guidelines area.

9. This application is Categorically Exempt from environmental review per Section 15303 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Analysis  
and

Conclusion: The project as designed is in conformance with the General Plan and Zoning Code requirements for multi-family development and would be consistent with other R2 lot splits on the west side of the City.

The proposed subdivision would meet the General Plan policy of providing for the development of housing in close proximity to schools, shopping and other services, including public transit. In addition, the proposed project supports the General Plan land use designation of RMF-8, and implements Policy LU-21, Infill, which states, "*Encourage infill development as a means of accommodating growth, while preserving open space areas, reducing vehicle miles traveled, and enhancing livability/quality of life. Infill includes: Residential infill in/near established neighborhoods.*"

Policy

Reference: General Plan, Zoning Ordinance

Fiscal

Impact: None. Since there are two existing dwelling units on the site and this requested subdivision would not provide for additional units, the subdivision is not subject to the Community Facilities District.

Options: After consideration of public testimony, the Planning Commission will be asked to consider the actions listed below:

- A. Adopt the attached Resolution, approving PR 06-0162, subject to standard and site specific development conditions; or
- B. Amend, modify, or alter the foregoing options.

Prepared by:

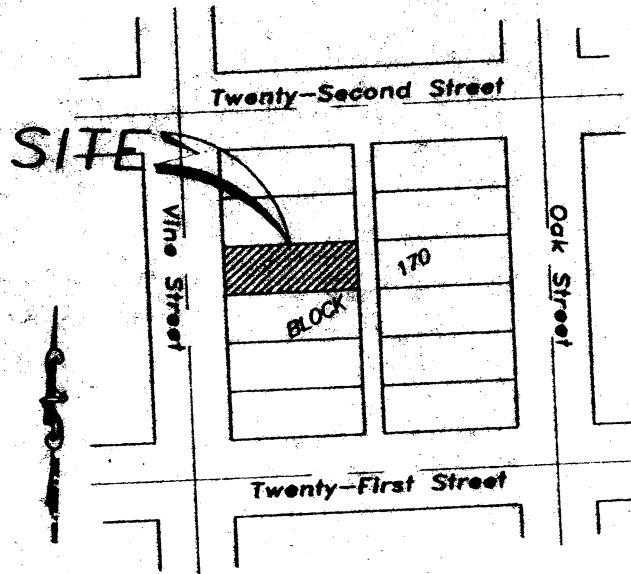
Darren Nash  
Associate Planner

Attachments:

1. Vicinity Map

2. Applicants Project Description
3. Memo from City Engineer
4. Resolution to Approve PR 06-0162
5. Newspaper and Mail Notice Affidavits

H:Darren/PR06-0162/Utter/PCstaffreport



Vicinity Map  
No Scale

**Vicinity Map**  
PR 06-0133  
(Utter)

## MEMORANDUM

**TO:** Darren Nash  
**FROM:** John Falkenstien  
**SUBJECT:** PR 06-0133, Utter  
**DATE:** November 14, 2006

The subject property fronts on Vine Street. The proposed new parcel will take access from the alley. Vine Street is classified as a Collector Street.

This property is serviced by a 6-inch water line in Vine Street. The nearest available City standard fire hydrant is located at the southeast corner of 22<sup>nd</sup> and Vine Streets.

Sewer is available to the property from a 6-inch line in the alley.

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### **Recommended Site Specific Conditions**

The Planning Commission must make a finding that the fulfillment of the construction requirements in Condition Number 1 is a necessary prerequisite to the orderly development of the surrounding area.

1. Prior to recordation of the final map, the alley must be improved in accordance with City Standard A-17 from the south boundary of the property north to 22<sup>nd</sup> Street. A standard alley approach is required at 22<sup>nd</sup> Street.
2. Prior to occupancy of a new residence on Vine Street, the applicant shall construct curb, gutter sidewalk and paving along the frontage of the property on Vine Street.
3. Prior to final map approval, the applicant shall enter into an agreement not to protest the formation of an assessment district to underground existing overhead utilities in the block.
4. The final parcel map shall include all utility easements necessary, including easements for water and sewer services.
5. A five-foot private access easement shall be provided over the Vine Street parcel 1 for the benefit of the alley fronting parcel.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT TENTATIVE MAP APPROVAL FOR  
PARCEL MAP PR 06-0133  
(MICAH UTTER)  
APN: 008-221-003

WHEREAS, Parcel Map PR 06-0133, an application filed by Dan Stewart, on behalf of Micah Utter to subdivide a 7,000 square foot lot into two parcels; and

WHEREAS, the site is located at 2130 Vine Street; and

WHEREAS, the subject site is located in the Residential Multi-Family (RMF-8) land use category and the R2 zoning district; and

WHEREAS, the existing house would remain on Parcel 2, a new house would be constructed on Parcel 1; and

WHEREAS, as a result of the parcel map, Parcel 1 would be 3,000 square feet and Parcel 2 would be 4,000 square feet; and

WHEREAS, the proposed parcel map is Categorically Exempt from environmental review per Section 15315 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA); and

WHEREAS, a public hearing was conducted by the Planning Commission on November 14, 2006, to consider facts as presented in the staff report prepared for the tentative parcel map, and to accept public testimony regarding the application; and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings as required by Government Code Sections 66474 and 65457:

1. The proposed tentative parcel map is consistent with the adopted General Plan for the City of El Paso de Robles in that it provides for infill development within close proximity to schools, shopping and other services;
2. As conditioned the design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan and Zoning Ordinance;
3. The site is physically suitable for the type of development proposed as demonstrated with the proposed site plans and architectural elevations for the house on Parcel 1;

4. The design of the land division is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
5. The design of the land division and types of improvements proposed are not likely to cause serious public health problems;
6. The design of the land division and the type of improvements proposed will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision;
7. The fulfillment of the requirements listed in condition No. 7 is a necessary prerequisite to the orderly development of the site and surrounding area.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby grant tentative map approval for Parcel Map PR 06-0133 subject to the following conditions of approval:

STANDARD CONDITIONS OF APPROVAL:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution.

SITE SPECIFIC CONDITIONS OF APPROVAL:

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

PLANNING

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

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Standard Conditions of Approval
B	Tentative Parcel Map
C	Site Plan for House on Parcel 2
D	Floor Plan for House on Parcel 2
E	Architectural Elevations for House on Parcel 2
F	Arborist Report

3. PR 06-0133 would allow the subdivision of the existing 7,000 square foot lot into two lots where Parcel 1 would be 3,000 square feet and Parcel 2 would be 4,000 square feet.

Tandem parking for the new house on Parcel 1 would be allowed with the approval of this Parcel Map.

4. Pursuant to submittal requirements and Standard Condition B-1 of Attachment A, prior to occupancy the applicant shall provide on a 3.5 inch disk or IBM-compatible CD a copy of all signed and stamped approved plans, exhibits, resolutions, and all submittal materials and other documentation pertaining to approval of this application for electronic archiving. The applicant may elect to have the City send out the documents for scanning at the applicant's expense.
5. Prior to recordation of the final map, the two parking spaces shall be constructed for the existing house on Parcel 2. The spaces shall meet the minimum dimensions of the parking ordinance and be constructed of concrete or asphalt.
6. Prior to the recordation of the final map, a minimum 3-foot wide path shall be installed to provide for visitor and mail box access to the rear parcel. The path may be constructed within the 5-foot access easement required by Engineering and Emergency Services, but needs to be out of the 9-foot wide driveway. The path materials along with the final location shall be approved by the Planning Director prior to installation.
7. The applicant shall take the steps necessary to annex to or form a City Community Facilities District (CFD) in order to provide funding for City services for each new parcel or dwelling unit in the proposed development. The agreement to form or annex to a CFD shall be in a manner to be approved by the City Attorney. Participation in a City CFD for services is intended to fully mitigate the incremental impact of new residential development on City services and maintain such services at the standards established in the General Plan.

If for any reason, applicant does not take the necessary steps to have the development included within a CFD, applicant shall, in a manner subject to approval by the City Council and City Attorney, provide for alternative means of fiscal mitigation at a level equal to the special taxes established in the Rate and Method of Apportionment applicable to CFD 2005-1, as they may be adjusted from time to time.

For any project resulting in the development of five (5) or more residential units on separate parcels, applicant shall also prepare and record the necessary documents to form a homeowners association (the "HOA") for such development, which HOA shall become active only if and when the CFD is terminated. The HOA documents shall provide that the HOA shall be required to fund the services provided by the CFD, and at the same level established in the Rate and Method of Apportionment for the CFD.



8. Prior to recordation of the final map, the alley must be improved in accordance with City Standard A-17 from the south boundary of the property north to 22<sup>nd</sup> Street. A standard alley approach is required at 22<sup>nd</sup> Street.
9. Prior to occupancy of a new residence on Vine Street, the applicant shall construct curb, gutter sidewalk and paving along the frontage of the property on Vine Street.
10. Prior to final map approval, the applicant shall enter into an agreement not to protest the formation of an assessment district to underground existing overhead utilities in the block.
11. The final parcel map shall include all utility easements necessary, including easements for water and sewer services.
12. A five-foot private access easement shall be provided over the Vine Street parcel 1 for the benefit of the alley fronting parcel.
13. Upgrade existing fire hydrants to the specifications determined by the City Engineer.
14. Prior to the start of construction, documentation shall be submitted to Emergency Services showing that required fire flows can be provided to meet all project demands.
15. Prior to final map approval, provide five (5) foot Public Services Access Easement that allows Emergency Service staff access to the rear of the lot via the front lot.

PASSED AND ADOPTED THIS 14<sup>th</sup> day of November, 2006 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIRMAN, JOHN HAMON

ATTEST:

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RON WHISENAND, SECRETARY OF THE PLANNING COMMISSION

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**EXHIBIT A OF RESOLUTION 06-\_\_\_\_\_**

**CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS  
FOR SINGLE FAMILY RESIDENTIAL TRACT AND PARCEL MAPS**

PROJECT #: Tentative Parcel Map PR 06-0133

APPROVING BODY: Planning Commission

DATE OF APPROVAL: November 14, 2006

APPLICANT: Utter

LOCATION: 2130 Vine Street

The following conditions that have been checked are standard conditions of approval for the above referenced project. The checked conditions shall be complied with in their entirety before the project can be finalized, unless otherwise specifically indicated. In addition, there may be site specific conditions of approval that apply to this project in the resolution.

**COMMUNITY DEVELOPMENT DEPARTMENT - The applicant shall contact the Planning Division, (805) 237-3970, for compliance with the following conditions:**

**A. GENERAL CONDITIONS**

- 1. This project approval shall expire on November 14, 2008 unless a time extension request is filed with the Community Development Department prior to expiration.
- 2. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process, development shall comply with the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 3. Prior to recordation of the map, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- 4. This project is subject to the California Environmental Quality Act (CEQA), which requires the applicant submit a \$25.00 filing fee for the Notice of Determination payable to "County of San Luis Obispo". The fee should be submitted to the Community Development Department within 24 hours of project approval, which is then forwarded to the San Luis Obispo County Clerk. Please note that the project may be subject to court challenge unless the required fee is paid.
- 5. In accordance with Government Section 66474.9, the subdivider shall defend, indemnify and hold harmless the City, or its agent, officers and employees, from any claim, action or proceeding brought within the time period provided for in Government Code section 66499.37, against the City, or its agents, officers, or employees, to attack, set aside, void, annul the City's approval of this subdivision. The City will promptly notify subdivider of any such claim or action and will cooperate fully in the defense thereof.

(Adopted by Planning Commission Resolution 94-038)

- 6. All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign.
- 7. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and subject to approval by the Community Development Department.
- 8. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 9. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.
- 10. The following areas shall be placed in a Landscape and Lighting District:
- 11. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:  


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- 12. The applicant shall install durable, decorative fence/wall treatments and landscaping along all arterial streets consisting of brick, tubular steel with pilasters, or other similar materials as determined by the Development Review Committee, but specifically excluding precision block and wood fences. Substantial setbacks with landscaping may be considered as an alternative, subject to approval by the Development Review Committee.
- 13. The applicant shall provide a one-foot non-access easement along the rear/side of all lots that back up/side against a collector or arterial street.

**B. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF BUILDING PERMITS OR RECORDATION OF THE FINAL MAP, WHICHEVER OCCURS FIRST:**

- 1. Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department.
- 2. Prior to the issuance of building permits, the
  - Development Review Committee shall approve the following:
  - Planning Division Staff shall approve the following:
    - a. A detailed landscape plan including walls/fencing;
    - b. Other: Architectural Site Plans and Elevations

- 3. The Covenants, Conditions, and Restrictions (CC&Rs) and/or Articles Affecting Real Property Interests are subject to the review and approval of the Community Development Department, the Public Works Department and/or the City Attorney. They shall be recorded concurrently with the Final Map or prior to the issuance of building permits, whichever occurs first. A recorded copy shall be provided to the affected City Departments.
- 4. The applicant shall agree, in a manner acceptable to the City Attorney, to pay impact mitigation fees as may be established through a resolution or ordinance adopted by the City Council, in effect at the time building permits are issued.
- N/A 5. ~~In order for this tract/parcel map to be in conformance with the General Plan, the lots/parcels of the tract/parcel map 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 District that the City Council has approved. If at the time that the final map is submitted for approval, proceedings to annex the tract/parcel map into a CFD have not been completed, the applicant shall record on all lots/parcels, 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. This condition shall not be imposed if the developer executes a development agreement with the District to mitigate school impacts.~~
- 6. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.
- 7. The developer shall provide constructive notice to all buyers that all homes are required to utilize semi-automated trash containers as provided by the City's franchisee for solid waste collection.
- 8. The developer shall provide constructive notice to future buyers that all residential units shall be required to be equipped with trash compactors.
- 9. The applicant shall meet with the City's Crime Prevention Officer prior to the issuance of building permits for recommendations on security measures to be incorporated into the design of the structures to be constructed. The applicant is encouraged to contact the Police Department at (805) 237-6464 prior to plan check submittal.

(Adopted by Planning Commission Resolution 94-038)

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**PUBLIC WORKS DEPARTMENT - The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:**

APPLICANT: Utter  
REPRESENTATIVE: Stewart  
PROJECT: Tentative Parcel Map 06-0133

PREPARED BY: John Falkenstien  
CHECKED BY:  
TO PLANNING:

**C. PRIOR TO ANY PLAN CHECK:**

- 1. The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.

**D. PRIOR TO RECORDING OF THE FINAL OR PARCEL MAP:**

- 1. The owner shall pay all Final Map fees, and current and outstanding fees for Engineering Plan Check and Construction and Inspection services and any annexation fees due.

- 2. If, at the time of approval of the final/record parcel map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act, prior to recordation. The owner shall also be required to post securities to guarantee the installation and completion of said improvements as specified in the Subdivision Map Act and submit a Certificate of Insurance as required by the City. The owner shall also be required to post securities for grading in accordance with Section 7008 of the Uniform Building Code, latest edition. This bond shall be of sufficient amount to ensure completion of the grading and drainage facilities. (A finding of "orderly development" has been made for this condition on parcel maps).

Bonds required and the amount shall be as follows:  
Performance Bond.....100% of improvement costs.  
Labor and Materials Bond.....50% of performance bond.

- 3. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:
  - a. Street lights;
  - b. Parkway and open space landscaping;
  - c. Wall maintenance in conjunction with landscaping;
  - d. Graffiti abatement;
  - e. Maintenance of open space areas.

- 4. The owner shall offer to dedicate to the City a 6 foot public utilities and 6 foot tree easement adjacent to all road right-of-ways. The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:
  - a. Public Utilities Easement;
  - b. Water Line Easement;
  - c. Sewer Facilities Easement;
  - d. Landscape Easement;
  - e. Storm Drain Easement.

(Adopted by Planning Commission Resolution 94-038)

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

<u>Alley</u>		<u>A-17</u>
Street Name	City Standard	Standard Drawing No.

6. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require a signature of approval by the Department of Public Works, Street Superintendent and the Community Development Department.
7. All improvement plans shall be prepared by a registered civil engineer and shall be submitted to the City Engineer for review and approval. The improvements shall be designed and placed to Public Works Department Standards and Specifications.
8. Prior to any site work a Preliminary Soils Report shall be prepared for the property to determine the presence of expansive soils or other soils problems and shall make recommendations regarding grading of the proposed site.
9. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility, together with the improvement plans. The composite utility plan shall also be signed by the Water, Fire, Wastewater and Street Division Managers.
10. A complete grading and drainage plan prepared by a registered civil engineer shall be included with the improvement plans. Drainage calculations shall be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer.
11. The owner shall provide an additional map sheet to record concurrently with the final map or parcel map showing the lot configuration, and the area subject to inundation by the 100 year storm with base flood elevations shown in feet, in relation to the National Geodetic Vertical Datum of 1929.
12. The owner shall install all utilities (sewer, water, gas, electricity, cable TV, and telephone) underground to each lot in the subdivision. Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground, except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project, unless it is determined that no need for future extension exists. All underground construction shall be completed and approved by the City and the public utility companies, and the subgrade shall be scarified and compacted, before paving the streets.
13. Any utility trenching in existing streets shall be overlaid to restore a smooth riding surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City Streets.
14. Prior to paving any street, the water and sewer systems shall successfully pass a City pressure test. The sewer system shall also be tested by a means of a mandrel and video inspection with a copy of the video tape provided to the City. No paving shall occur until the City has reviewed and viewed the sewer video tape and has determined that the sewerline is acceptable. Any repair costs to the pipeline including trench paving restoration shall be at the developer's expense.
15. The owner shall install all street name, traffic signs and traffic striping as directed by the City Engineer.

(Adopted by Planning Commission Resolution 94-038)

- 16. The adjoining existing City street is inadequate for the traffic generated by the project, or will be severely damaged by the construction. The applicant shall remove the entire roadway and replace it with a minimum full half-width street plus a 12' wide travel lane and 8' wide base shoulder adequate to provide for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition.)
- 17. The development includes a phased street construction along the project boundary for future completion by the adjacent property owner, the applicant shall provide a minimum half-width street plus a 12' travel lane and 4' wide base shoulder adequate for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition.)
- 18. The project fronts on an existing street. The applicant shall pave-out from the proposed gutter to the edge of pavement if the existing pavement section is adequate, and shall feather the new paving out to the centerline for a smooth transition. If the existing pavement, structural sections or geometrics are inadequate per current City Standards, the roadway shall be replaced to centerline and the remaining pavement shall be overlaid. (A finding of "rough proportionality" has been made in the resolution for this condition.)

**E. PRIOR TO ANY SITE WORK:**

- 1. The applicant shall obtain a Grading Permit from the City Building Division.
- 2. Prior to issuance of a Grading Permit the developer shall apply, through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application.
- 3. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to its removal.
- 4. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.
- 5. Any grading anticipated during the rainy season (October 15 to April 15) will require the approval of a construction zone drainage and erosion control plan to prevent damage to adjacent property. Appropriateness of areas shall be subject to City Engineer approval.
- 6. Any construction within an existing street shall require a traffic control plan. The plan shall include any necessary detours, flagging, signing, or road closures requested. Said plan shall be prepared and signed by a registered civil or traffic engineer.

**F. PRIOR TO ISSUANCE OF A BUILDING PERMIT:**

(Adopted by Planning Commission Resolution 94-038)

- 1. A final soils report shall be submitted to the City prior to the final inspection and shall certify that all grading was inspected and approved, and that all work has been done in accordance with the plans, preliminary report, and Chapter 70 of the Uniform Building Code.
- 2. The applicants civil and soils engineer shall submit a certification that the rough grading work has been completed in substantial conformance to the approved plans and permit.
- 3. Building permits shall not be issued until the water system has been completed and approved, and a based access road installed sufficient to support the City's fire trucks, in a manner approved by the Fire Chief.
- 4. Prior to issuance of a Building Permit for building within Flood Insurance Rate Map (FIRM) zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.
- 5. Prior to issuance of a Building Permit for building within Flood Insurance Rate Map (FIRM) zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide a Flood Proofing Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.

**G. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:**

- 1. All final property corners and street monuments shall be installed before acceptance of the public improvements.
- 2. No buildings shall be occupied until all public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
- 3. All disturbed areas not slated for development shall be protected against erosion in a manner acceptable to the City Engineer, which may include hydroseeding or landscaping.
- 4. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection Services and any outstanding annexation fees.
- 5. All top soil removed shall be stockpiled and evenly distributed over the slopes and lots upon completion of rough grading to support hydroseeding and landscaping. All slope areas shall be protected against erosion by hydroseeding or landscaping.
- 6. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood, gypsum board, etc.) and removed from the project to a recycling facility in accordance with the City's Source Reduction and Recycling Element.
- 7. If any of the public improvements or conditions of approval are not completed or met, then the subdivider may, at the discretion of the City Engineer, enter into a Performance Agreement with the City to complete said improvements at a later date and post securities to cover the cost of the improvements. The form of the agreement and amount of the securities are subject to the approval of the City Engineer.
- 8. A blackline clear Mylar (0.4 MIL) copy and two (2) blue-line prints of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection.

(Adopted by Planning Commission Resolution 94-038)



A reduced copy (i.e. 1" = 100') of the composite utility plan shall be provided to update the City's Atlas Map.

- 9. A benchmark shall be placed for vertical control on the U.S.G.S. Datum as required by the City Engineer.

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**PASO ROBLES FIRE DEPARTMENT - The applicant shall contact the Fire Department, (805) 237-3973, for compliance with the following conditions:**

**H. GENERAL CONDITIONS**

- 1. Fire hydrants shall be installed at intervals as required by the Fire Chief and City Engineer. The maximum spacing for single family residential shall be 500 feet. The maximum spacing for multi-family and commercial/residential shall be 300 feet. On-site hydrants shall be placed as required by the Fire Chief.
- 2. Building permits shall not be issued until the water system, including hydrants, has been tested and accepted and a based access road installed sufficient to support the City's fire apparatus (HS-20 truck loading). The access road shall be kept clear to a minimum of 24 feet at all times and shall be extended to each lot and shall be maintained to provide all weather driving conditions.
- 3. No buildings shall be occupied until all improvements are completed and accepted by the City for maintenance.
- 4. If the development includes phased street construction, temporary turn-arounds shall be provided for streets that exceed 150 feet in length. The temporary turn around shall meet City requirements as set forth in the Public Works Department Standards and Specifications.
- 5. All open space areas to be dedicated to the City shall be inspected by the Fire Department prior to acceptance. A report shall be submitted recommending action needed for debris, brush and weed removal and tree trimming. The developer shall clean out all debris, dead limbs and trash from areas to be recorded as open space prior to acceptance into a Benefit Maintenance District.
- 6. Any open space included in a private development shall be subject to the approval of a vegetation management plan approved by the Fire Chief.
- 7. Each tract or phase shall provide two sources of water and two points of access unless otherwise determined by the Fire Chief and Public Works Director.
- 8. Provisions shall be made to update the Fire Department Run Book.

TENTATIVE  
**PARCEL MAP PR 06-0133**

BEING A DIVISION OF  
 LOT 10, BLOCK 170,  
 CITY OF EL PASO DE ROBLES,  
 COUNTY OF SAN LUIS OBISPO,  
 STATE OF CALIFORNIA  
 APN 008-221-003

**ENGINEER'S STATEMENT**

I HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES WITHIN THE LOT DIVISION ORDINANCE OF THE CITY OF PASO ROBLES.

DANIEL J. STEWART, RCE 14894 (EXP. 3/31/07)



**OWNER'S STATEMENT**

I DO HEREBY APPLY FOR THE APPROVAL OF THE PARCEL MAP DIVISION OF THE LOCAL AGENCY SHOWING ON THIS MAP THE DIVISION OF THE REAL PROPERTY OWNED BY ME OR THE AUTHORIZED AGENT THEREOF AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

HERMAN LEWIS  
 2130 WINE STREET  
 PASO ROBLES, CA 93446

**BASIS OF BEARINGS**

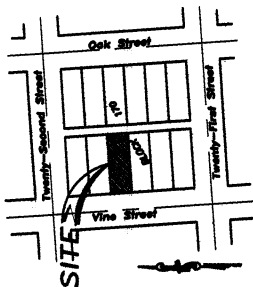
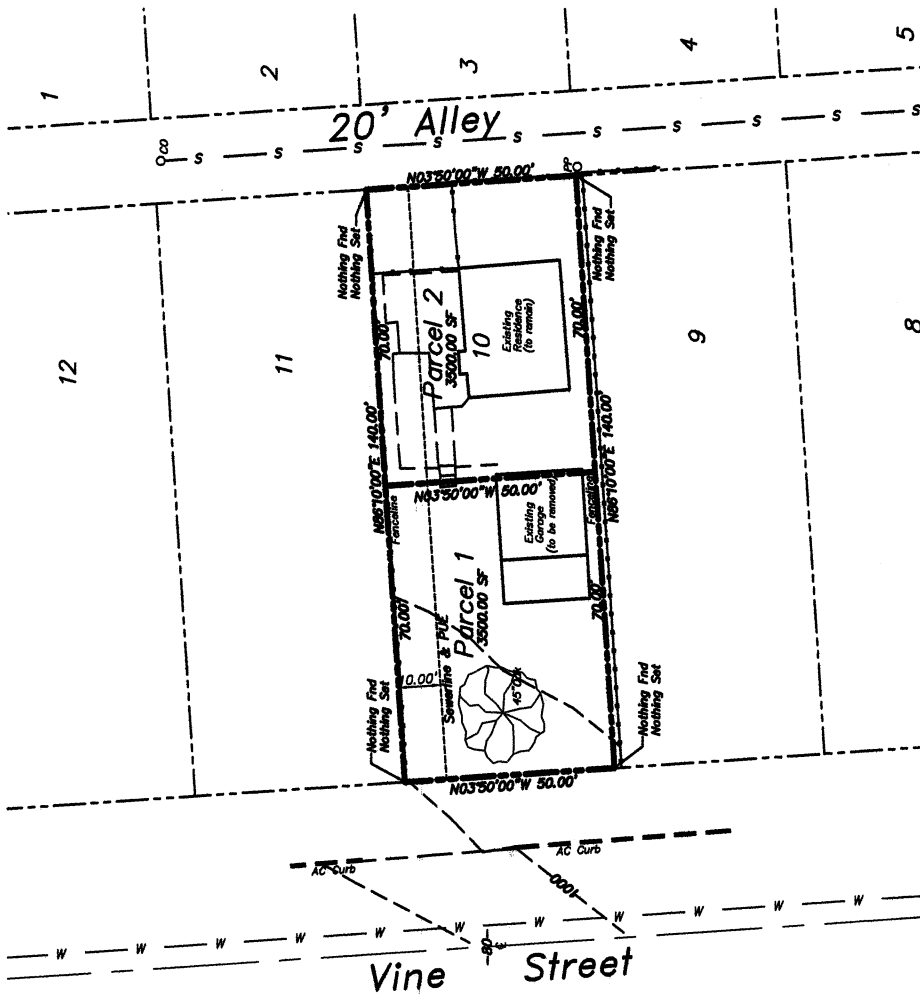
THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN FOUND AND ACCEPTED MONUMENTS ALONG THE CENTERLINE OF WINE STREET AS SHOWN AND NOTED AS N 03°50'00" W.

**LEGEND**

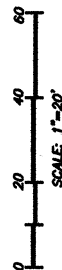
- R = A-MAPS-169
- = FOUND MONUMENT AS NOTED
- = SET 1/2" REBAR w/ CAP RCE 14894 OR AS NOTED

DANIEL J. STEWART & ASSOC.  
 ENGINEERS - SURVEYORS  
 597 12th STREET / P.O. BOX 2038  
 PASO ROBLES, CA 93446

SHEET 1 OF 1



Vicinity Map  
 No Scale



**Notes**  
 HORIZONTAL DATUM PER (R) AND A FIELD SURVEY  
 VERTICAL DATUM IS ASSIGNED

**Exhibit B**  
 Tentative Parcel Map  
 PR 06-0133  
 (Utter)



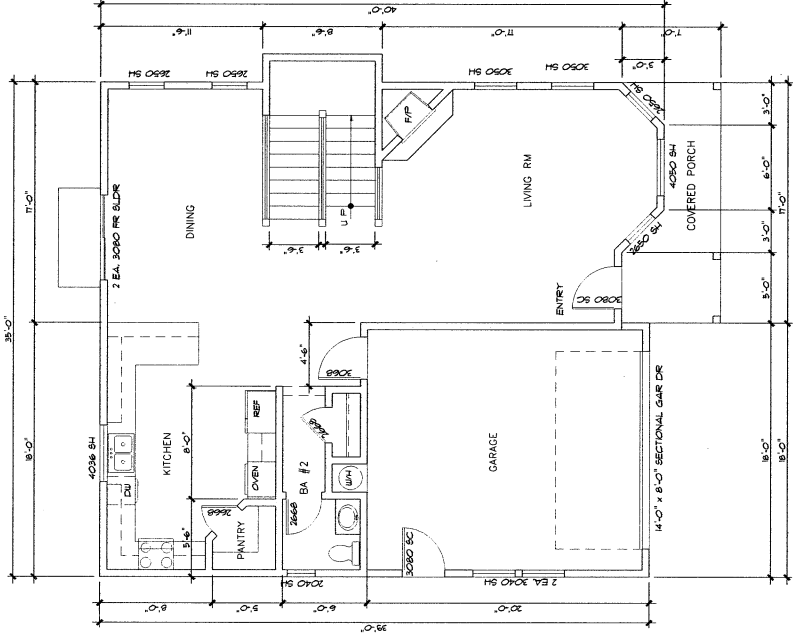
**JIM REED  
C.A.D.  
SERVICE**  
11111 11111 11111  
11111 11111 11111  
11111 11111 11111  
11111 11111 11111  
11111 11111 11111

This CAD service assumes no liability for information provided by the owner / contractor in the preparation of these construction drawings. The owner / contractor has been advised that this information is not to be used for construction until signed by the architect.

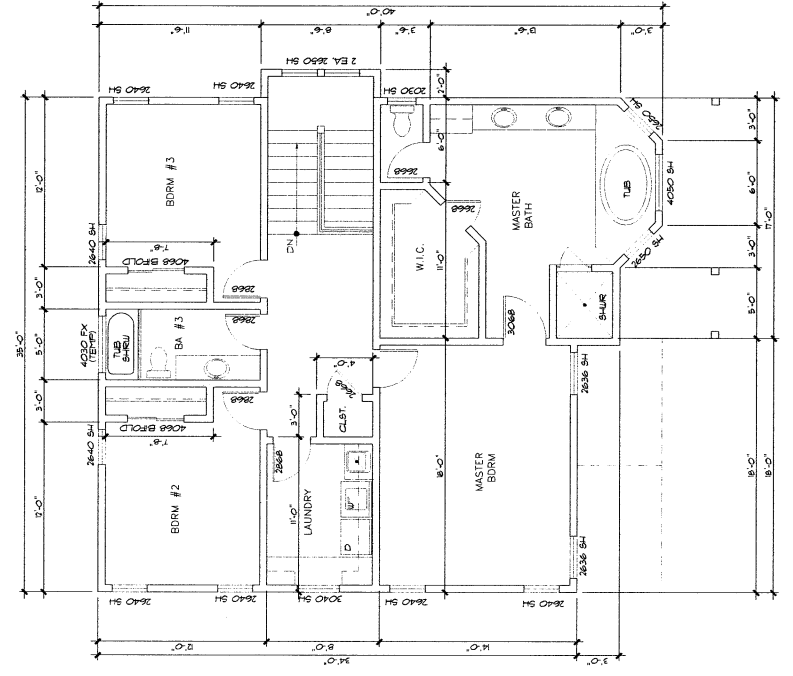
**MICAH UTTER RESIDENCE**

A NEW RESIDENCE FOR  
**MICAH UTTER RESIDENCE**

Job No. \_\_\_\_\_  
Drawn By: \_\_\_\_\_ Date: \_\_\_\_\_  
Checked By: \_\_\_\_\_ Date: \_\_\_\_\_  
Drawing No. \_\_\_\_\_  
Scale: 1/4" = 1'  
Sheet  
**A - 2**



**LOWER FLOOR**  
LIVING 1023 sq. ft.  
GARAGE 255 sq. ft.  
COVERED PORCH 32 sq. ft.



**UPPER FLOOR**  
LIVING 1196 sq. ft.

**FLOOR PLAN**

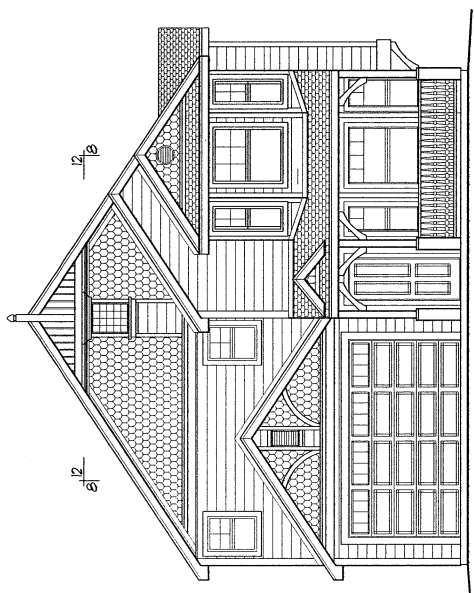
**Exhibit D**  
**Floor Plan**  
**PR 06-0133**  
**(Utter)**

**JIM REED**  
**C.A.D.**  
**SERVICE**  
 1045 E. Highway 101  
 P.O. Box 101  
 P.O. Box 101  
 P.O. Box 101

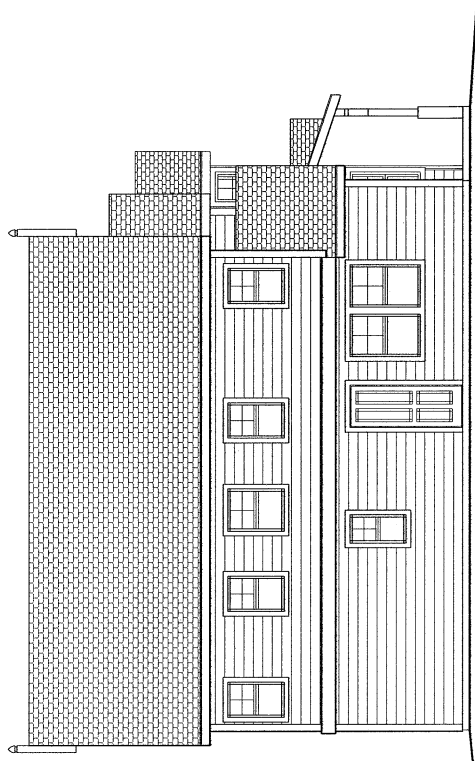
The client shall remain liable for construction until signed by the architect. The architect shall not be responsible for conditions or conditions that are not shown on the drawings. The architect shall not be responsible for conditions or conditions that are not shown on the drawings. The architect shall not be responsible for conditions or conditions that are not shown on the drawings.

**MICAH UTTER RESIDENCE**  
 A NEW RESIDENCE FOR:

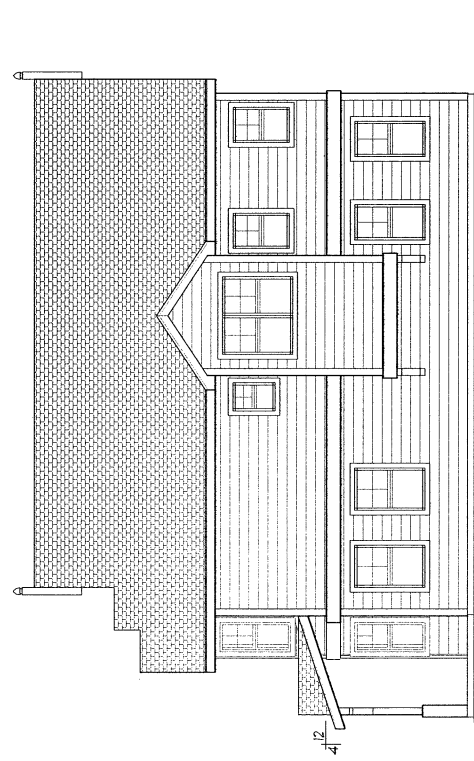
Job No.	Date
Checked By	Date
Drawing No.	
Scale	1/4" = 1'
Sheet	<b>A - 6</b>



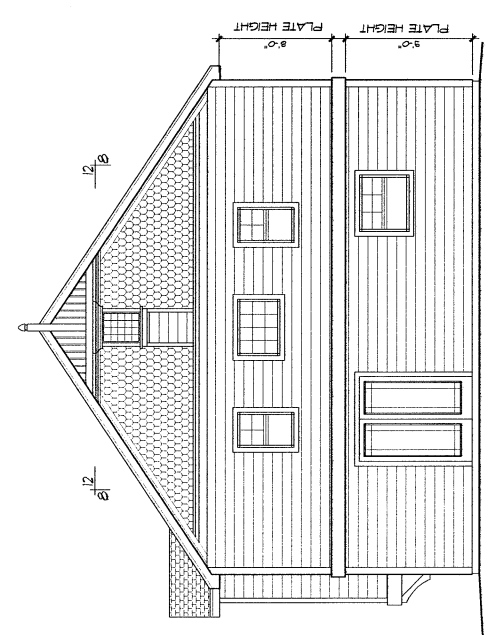
**FRONT ELEV**



**LEFT ELEV**



**RIGHT ELEV**



**REAR ELEV**

**ELEVATIONS**

**Exhibit E**  
**Architectural Elevations**  
**PR 06-0133**  
**(Utter)**

# **A & T ARBORISTS**

**P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131**



## **Tree Preservation Plan For Micah Utter Residence Vine Street**

Pase Robles  
SEP 20 2006  
Planning Division

### **Prepared by A & T Arborists and Vegetation Management**

**Chip Tamagni  
Certified Arborist #WE 6436-A**

**Steven Alvarez  
Certified Arborist #WE 511-A**

Tract # \_\_\_\_\_

PD # \_\_\_\_\_

Building Permit # \_\_\_\_\_

**Exhibit F  
Arborist Report  
(Utter)**

**Project Description:** This project involves the construction of a second home on a Vine Street lot in Paso Robles, California. There is one blue oak tree (*Quercus douglasii*) on the lot that exists within the construction zone. The tree's diameter measures 36 inches which creates a large critical root zone. It is important to note here the tree is actually two trees fused into one. This fact is apparent by the extensive v crotch, shape of the trunk and the size of the canopy. In reality, the root system most likely does not extend 36 feet out from the tree. A 20 foot root zone is more probable for a tree this size. The area to the north of the tree has been historically used as a driveway and the soil is compacted as is the area east of the tree. The over excavation for the house pad will not encroach closer than 12 feet from the trunk of the tree.

**Specific Mitigations Pertaining to the Project:** The over excavation for the house pad shall be monitored by a certified arborist for proper root pruning. All exposed roots shall be clean cut by a certified arborist. If backfilling will not be completed on the same day, the side of the cut towards the tree shall be covered with carpet remnants and kept moist twice per day until backfilling is complete. The tree requires a class I prune by a certified arborist to remove deadwood that will help alleviate tree stress. The compacted driveway shall be finished with pervious pavers. The existing soil under the driveway shall not be disturbed. A leveling course of base may be applied prior to paver installation. The excavation for concrete curbing required for the pavers shall be hand excavated and monitored by a certified arborist. The utility trenching shall not encroach closer than 15 feet on either side of the tree. The trenching excavation shall be monitored for proper root pruning. No fill is allowed within the fenced area.

The term "critical root zone" or CRZ is an imaginary circle around each tree. The radius of this circle (in feet) is equal to the diameter (in inches) of the tree. For example, a 10 inch diameter tree has a critical root zone with a ten foot radius from the tree. Working within the CRZ usually requires mitigations and/or monitoring by a certified arborist.

All trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees are numbered on the grading plans and in the field with an aluminum tag. Tree protection fencing is shown on the grading plan. In the field oak trees to be saved have yellow tape and trees to be removed have red tape attached to the tag (none for this project). Both critical root zones and drip lines are outlined on the plans.

If pruning is necessary for building, road or driveway clearance, removal of limbs larger than 6 inches in diameter will require a city approved permit along with a deposit paid in advance (to the City of Paso Robles). The city will send out a representative to approve or deny the permit. Only 25% of the live crown may be removed. Deadwood removal for this project should not require any limbs greater than six inches to be cut.

### **Tree Rating System**

A rating system of 1-10 was used for visually establishing the general health and condition of each tree on the spreadsheet. The rating system is defined as follows:

<u>Rating</u>	<u>Condition</u>
---------------	------------------

0	Deceased
1	Evidence of massive past failures, extreme disease and is in severe decline.
2	May be saved with attention to class 4 pruning, insect/pest eradication and future monitoring.
3	Some past failures, some pests or structural defects that may be mitigated by class IV pruning.
4	May have had minor past failures, excessive deadwood or minor structural defects that can be mitigated with pruning.
5	Relatively healthy tree with little visual, structural and/or pest defects and problems.
6	Healthy tree that probably can be left in its natural state.
7-9	Has had proper arboricultural pruning and attention or have no apparent structural defects.
10	Specimen tree with perfect shape, structure and foliage in a protected setting (i.e. park, arboretum).

Aesthetic quality on the spreadsheet is defined as follows:

- **poor** - tree has little visual quality either due to severe suppression from other trees, past pruning practices, location or sparse foliage
- **fair** - visual quality has been jeopardized by utility pruning/obstructions or partial suppression and overall symmetry is average
- **good** - tree has good structure and symmetry either naturally or from prior pruning events and is located in an area that benefits from the trees position
- **excellent** - tree has great structure, symmetry and foliage and is located in a premier location. Tree is not over mature.

The following mitigation measures/methods must be fully understood and followed by anyone working within the critical root zone of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

1. It is the responsibility of the **owner or project manager** to provide a copy of this tree protection plan to any and all contractors and subcontractors that work within the critical root zone of any native tree and confirm they are trained in maintaining fencing, protecting root zones and conforming to all tree protection goals. It is highly recommended that each contractor sign and acknowledge this tree protection plan.
2. Any future changes (within the critical root zone) in the project will need Project Arborist review and implementation of potential mitigation measures before any said changes can proceed.
3. **Fencing:** The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked (with t posts 8 feet on center) at the edge of the critical root zone or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner shall be responsible for maintaining an erect fence throughout



the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. Weather proof signs shall be permanently posted on the fences every 50 feet, with the following information:

**Tree Protection Zone**  
No personnel, equipment,  
materials, and vehicles are  
allowed  
Do not remove or re-position  
this fence without calling:  
A & T Arborists  
434-0131

4. **Soil Aeration Methods:** Soils within the critical root zone that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18" deep, 2-3' apart with a 2-4" auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.
5. **Chip Mulch:** All areas within the critical root zone of the trees that can be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.
6. **Trenching Within Critical Root Rone:** All trenching within the critical root zone of native trees shall be **hand dug**. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. A **Mandatory** meeting between the arborists and grading contractor(s) must take place prior to work start.
7. **Grading Within The Critical Root Zone:** Grading should not encroach within the critical root zone unless authorized. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.
8. **Exposed Roots:** Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they must be covered with burlap or another suitable material and wetted down 2x per day until re-buried.
9. **Paving Within The Critical Root Zone:** Pervious surfacing is preferred within the critical root zone of any native tree. If pavers are required, the areas are outlined on the grading plans. Pavers must be interlocking with a minimum of 10% void space backfilled with pea gravel. Geo textile fabric shall be permeable. Depending on use within the CRZ, pavers may or may not be required. Vertical perforated tubing with drainage grates may be required instead.
10. **Equipment Operation:** Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also there is to be no

parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless pre-approved by the arborist.

**11. Existing Surfaces:** The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted or pared, unless shown on the grading plans and approved by the arborist.

**12. Construction Materials And Waste:** No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials either.

**13. Arborist Monitoring:** An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not necessarily have to be continuous but observational at times during these activities. It is the responsibility of the **owner(s) or their designee** to inform us prior to these events so we can make arrangements to be present. All monitoring will be documented on the field report form which will be forwarded to the project manager and the City of Paso Robles Planning Department.

- pre-construction fence placement inspection
- all grading and trenching identified on the spreadsheet
- any other encroachment the arborist feels necessary

**14. Pre-Construction Meeting:** An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and the earth moving team shall be required for this project. Prior to final occupancy, a letter from the arborist(s) shall be required verifying the health/condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all grading and/or trenching activity that encroached into the critical root zone of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

**15. Pruning** Class 4 pruning includes-Crown reduction pruning shall consist of reduction of tops, sides or individual limbs. A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road/home clearance shall be pruned **prior** to any grading activities to avoid any branch tearing.

**16. Landscape:** All landscape within the critical root zone shall consist of drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape contractor regarding this mitigation.

**17. Utility Placement:** All utilities, sewer and storm drains shall be placed down the roads and driveways and when possible outside of the critical root zones. The arborist shall supervise trenching within the critical root zone. **All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over roots larger than 3 inches in diameter.**

**18. Fertilization and Cultural Practices:** As the project moves toward completion, the arborist(s) may suggest either fertilization and/or mycorrhiza applications that will benefit tree health. Mycorrhiza offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.

The included spreadsheet includes trees listed by number, species and multiple stems if applicable, scientific name, diameter and breast height (4.5'), condition (scale from poor to excellent), status (avoided, impacted, removed, exempt), percent of critical root zone impacted, mitigation required (fencing, root pruning, monitoring), construction impact (trenching, grading), recommended pruning, aesthetic value and individual tree notes along with canopy spread.

If all the above mitigation measures are followed in addition to the specific mitigation measures, we feel there will be no long-term significant impacts to the native oak tree.

Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez  
Certified Arborist #WC 0511

Chip Tamagni  
Certified Arborist #WE 6436-A

A handwritten signature in black ink, appearing to read 'CT', with a long horizontal flourish extending to the right.

TREE PROTECTION SPREAD SHEET Utter

1	2	3	4	5	6	7	8	9	10	11	12	13	14
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW
1	BO	Q. doug	36	3	I	45%	GR, TR	F, RP, M	YES	I	good	v crotch, deadwood	40/39
2													
3													
4													
5													
6													
7													
8													
9													
10													
11													
12													
13													
14													
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19													
20													

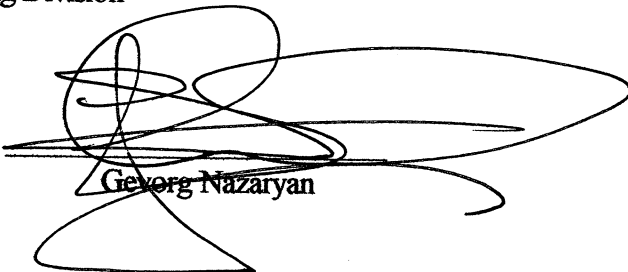
1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH  
 2 = TREE TYPE. COMMON NAME (E.W.O.= WHITE OAK)  
 3= SCIENTIFIC NAME  
 4 = TRUNK DIAMETER @ 48"  
 5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT  
 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL  
 7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE  
 8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING  
 9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,  
 10 = ARBORIST MONITORING REQUIRED: YES/NO  
 11 = PERSCRIBED PRUNING: CLASS 1-4  
 12= AESTHETIC VALUE  
 12 = FIELD NOTES  
 13= NORTH SOUTH/EAST WEST CANOPY SPREAD

**AFFIDAVIT**  
**OF MAIL NOTICES**  
**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Gevorg Nazaryan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Tentative Parcel Map PR 06-0133, A request to subdivide an R2 zoned lot into two parcels, where the existing house would remain, and be on Parcel 2 and a new house would be built on Parcel 1. (Applicant: Micha Utter) APN: 009-441-047, on this 31<sup>st</sup> day of October, 2006.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed:



Gevorg Nazaryan

forms\mailaffi.691

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

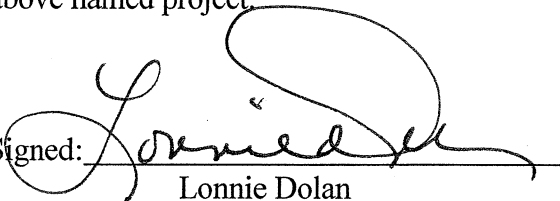
Newspaper: Tribune

Date of Publication: November 3, 2006

Meeting Date: November 14, 2006  
(Planning Commission)

Project: Tentative Parcel Map PR 06-0133  
(Utter - 2130 Vine Street)

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

forms/newsaffi.691

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider Tentative Parcel Map PR 06-0133, a parcel map application filed by Dan Stewart and Associates on behalf of Micha Utter, to subdivide an existing 7,000 square foot R2 lot into two parcels approximately 3,500 square feet in size. The site is located at 2130 Vine Street.

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, November 14, 2006, at which time all interested parties may appear and be heard.

This application is Categorically Exempt from environmental review per Section 15315 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Comments on the proposed project 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 hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970.

The proposed Tentative Parcel Map PR 06-0133 will be available for review at the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, on the Thursday before the scheduled date of this hearing.

If you challenge the Tentative Parcel Map application 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 at, or prior to, the public hearing.

Darren R. Nash, Associate Planner  
November 3, 2006 6482974