

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: AMENDMENT TO TENTATIVE TRACT 2593 (CITY INITIATED)

DATE: JANUARY 9, 2007

Needs: To consider a City Initiated amendment, requesting to modify condition number 10 of Resolution 04-038 approving Tract 2593.

Facts:

1. Tract 2593 is located at the terminus of Red Cloud Road and Navajo Avenue (see the attached Vicinity Map).
2. The Tract was approved by the Planning Commission along with PD 03-019 on March 23, 2004, via Resolutions 04-037, 04-038 & 04-039.
3. Condition No. 10 of Resolution 04-038 states as follows:  
  
*Lots 1-7, 40 and 23 shall be limited to one-story homes.*
4. The request is to modify Condition No. 10 to allow for the construction of 2-story homes on Lots 1-7, 40 and 23.
5. The proposed Amendment was discussed by the DRC at their meeting on December 11, 2006. Staff presented different construction types as described below. The Committee concluded that the two-story option would seem to be the best design for the hillside lots and be consistent with the Grading Ordinance.

Analysis and

Conclusion: Lots 1-7, 40 back up to existing homes that are located on Bolen Drive, Lot 23 backs up to an existing home fronting on Navajo. The intent at the time of the approval of Tract 2593 was to limit the homes on these lots to one-story, in an effort to try and lessen the effects of 2-story homes “looming” over existing homes located down slope.

The City’s Grading Regulations would prohibit pad grading of these hillside lots. In order to meet the requirements of the Grading Regulations, stepped/stem-wall foundations are necessary. Because of the difference in elevation from Red Cloud Road and the building envelopes for these lots, it would make sense to have the main level of the house be at street level and a second level constructed underneath the main level, built into the hillside. The stepped/stem-wall design is encouraged by the Grading

Ordinance and is commonly built through out the City on hillside lots. However, this design is considered “two stories” and would be prohibited under the current conditions of the subdivision.

In order to construct a true single story home on these hillside lots, there would be two alternatives. One would be to import fill dirt to the lot to create a pad so that a slab on grade type house could be built. Not only would this type of construction require a significant amount of grading which would not comply with the Grading Ordinance, the result would still create a “looming” effect on the existing homes, since the finish floor elevation would still be similar to that of a two story home. The second alternative would be to construct a driveway down the hillside to a house that would be constructed on the lower portion of the lot. This alternative would push the house down the hill, closer to the existing homes, which would seem to be more of an impact than the proposed two-story design. The driveways necessary to access the house would most likely not meet the 15-percent minimum slope requirement and additionally, the homes would probably require sewer pumps to hook up to sewer lines in Red Cloud Road.

While the intent of the one-story limitation sounded like it would lessen impacts to the existing homes at the time, after further review it appears that the impacts of trying to construct a one-story house on the hillside lots would be more of an impact than the construction of a two story house. Exhibits A-E of the Resolution attached to this report, are plans proposed for a two-story home on Lot 5. This type of construction is what would be proposed for all Lots 1-7 and 40. Lot 23 is not as steep as the others, at this time it is not known what type of house will be proposed on Lot 23.

This amendment would modify Condition No. 10 to allow two story homes to be constructed on the subject lots, with a condition that would require the homes to be single story at street level and for lower stories to step down the hill. One-story homes could be built on these lots if they can be built in a manner that meets the Zoning Code standards, include the grading limitations.

Policy

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

Fiscal

Impact: There are no quantified fiscal impacts related to this tentative subdivision.

Options: After consideration of all public testimony, that the Planning Commission considers

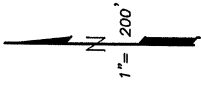
the following options:

- A. Adopt the attached resolution omitting Condition No. 10 of Resolution 04-038, thereby allowing the construction of two-story homes on Lots 1-7, 40 & 23 of Tract 2583, subject to the conditions of approval.
  
- B. Amend, modify, or alter the foregoing options.

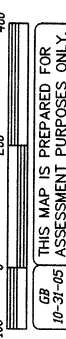
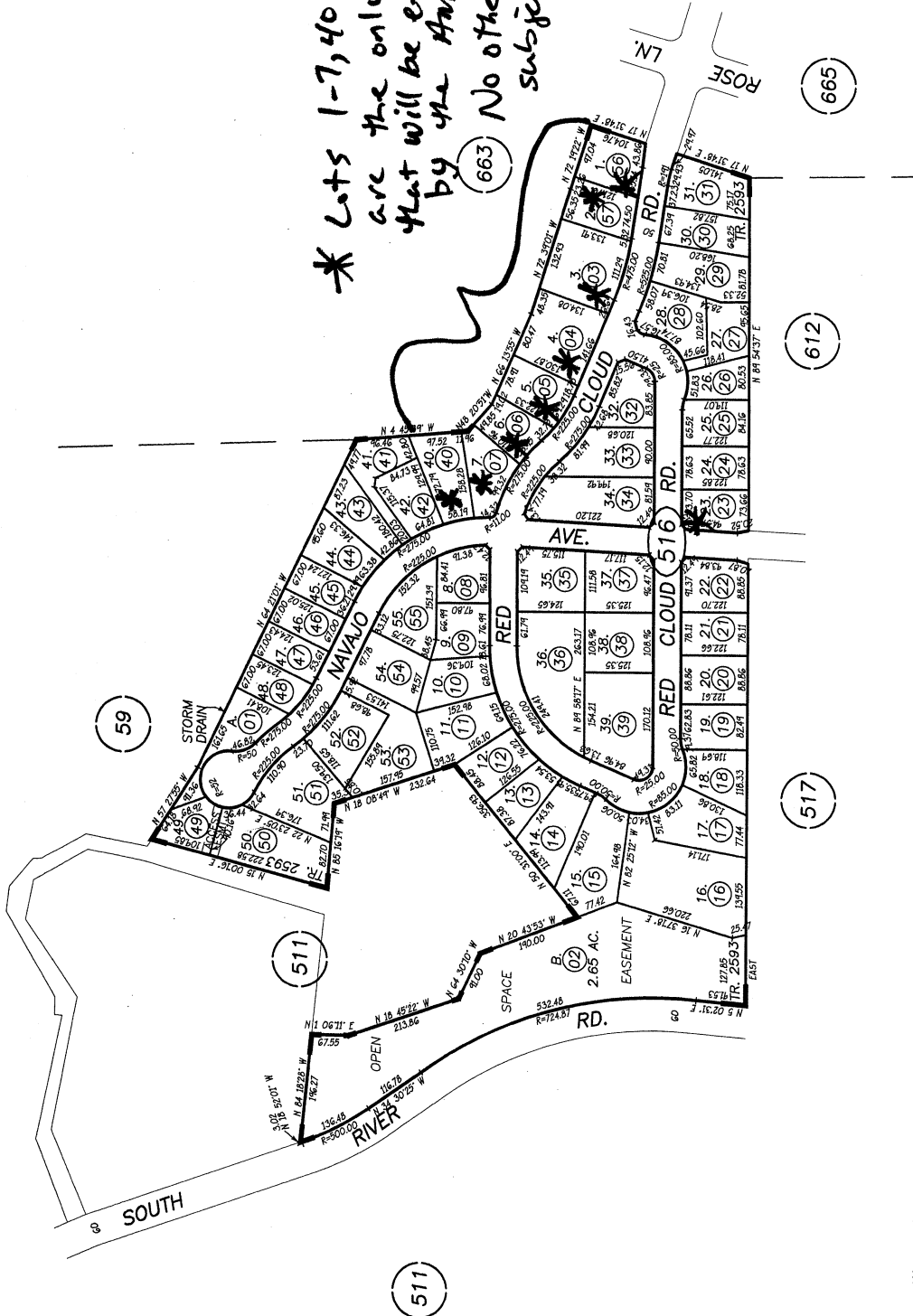
Attachments:

- 1. Vicinity Map
- 2. Resolution amending Tentative Tract 2593
- 3. Newspaper and Mail Notice Affidavits

H:\darren\Tracts\TR2593Charter Pacific\PC Report



\* Lots 1-7, 40 & 23 are the only lots that will be effected by the Amendment. (663) No other lots are subject to change.



THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY.

REVISIONS	I.S.	DATE
06-164	MA	10-31-05
05-31-05	MA	05-31-05

CITY OF PASO ROBLES  
ASSESSOR'S MAP, COUNTY OF  
SAN LUIS OBISPO, CA.  
BOOK 009 PAGE 516

TRACT 2593, R.M. Bk. 26 , Pg. 47-48

Vicinity Map  
Tract 2593

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

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT AN AMENDMENT TO TRACT 2593  
(CITY INITIATED)  
APN: 009-511-016

WHEREAS, Tract 2593, was approved by the Planning Commission on March 23, 2004, via Resolutions 04-037, 04-38 & 04-039, dividing the 23.3 acre parcel into fifty-five (55) single-family residential lots; and

WHEREAS, Tract 2593 is located at the terminus of Red Cloud Road and Navajo Avenue; and

WHEREAS, with the approval of Resolution 04-038, approving Tract 2593, condition No. 10 was included, which prohibits the construction of two-story homes on Lots 1-7, 40 & 23; and

WHEREAS, because Lots 1-7, 40 are lots that slope significantly down from Red Cloud Road, in order to comply with the Grading Ordinance, it appears that the best option to construct homes in a manner that would comply with the Grading Ordinance, that is necessary to allow for the construction of two-story homes on these lots; and

WHEREAS, lot 23 is a corner lot that fronts on Red Cloud Road and backs up to a lot that fronts on Navajo; and

WHEREAS, a public hearing was conducted by the Planning Commission on January 9, 2007 to consider facts as presented in the staff report prepared for the tentative tract 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 construction of two-story homes, where the first floor is at street level and the second floor is under the first floor, is a type of two-story home that would meet the intent of Section 21.16E.140, Grading limitations, since it would minimize grading on the lots.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby amend Tract 2593, Resolution 04-038 by omitting Condition No. 10 and by allowing the construction of two-story homes on Lots 1-7, 23 & 40 subject to the following conditions of approval:

1. The construction of two-story homes on Lots 1-7, 40 shall not exceed one story at the street level, additional stories shall step down the hill. The intent would be for two story homes to be constructed in a similar manner to the one proposed for Lot 5, as shown in the following exhibits:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Site Plan
B	Front Elevation
C	Right Side Elevation
D	Left Side Elevation
E	Rear Elevation

2. One-story homes may be built on these lots if they can meet the requirements of the Section 21.16E.140, Grading limitations.
3. Lot 23 has less slope than the other lots, this lot may be developed with either a one or two-story home, subject to Zoning Code Standards.

PASSED AND ADOPTED THIS 9<sup>th</sup> day of January, 2007 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

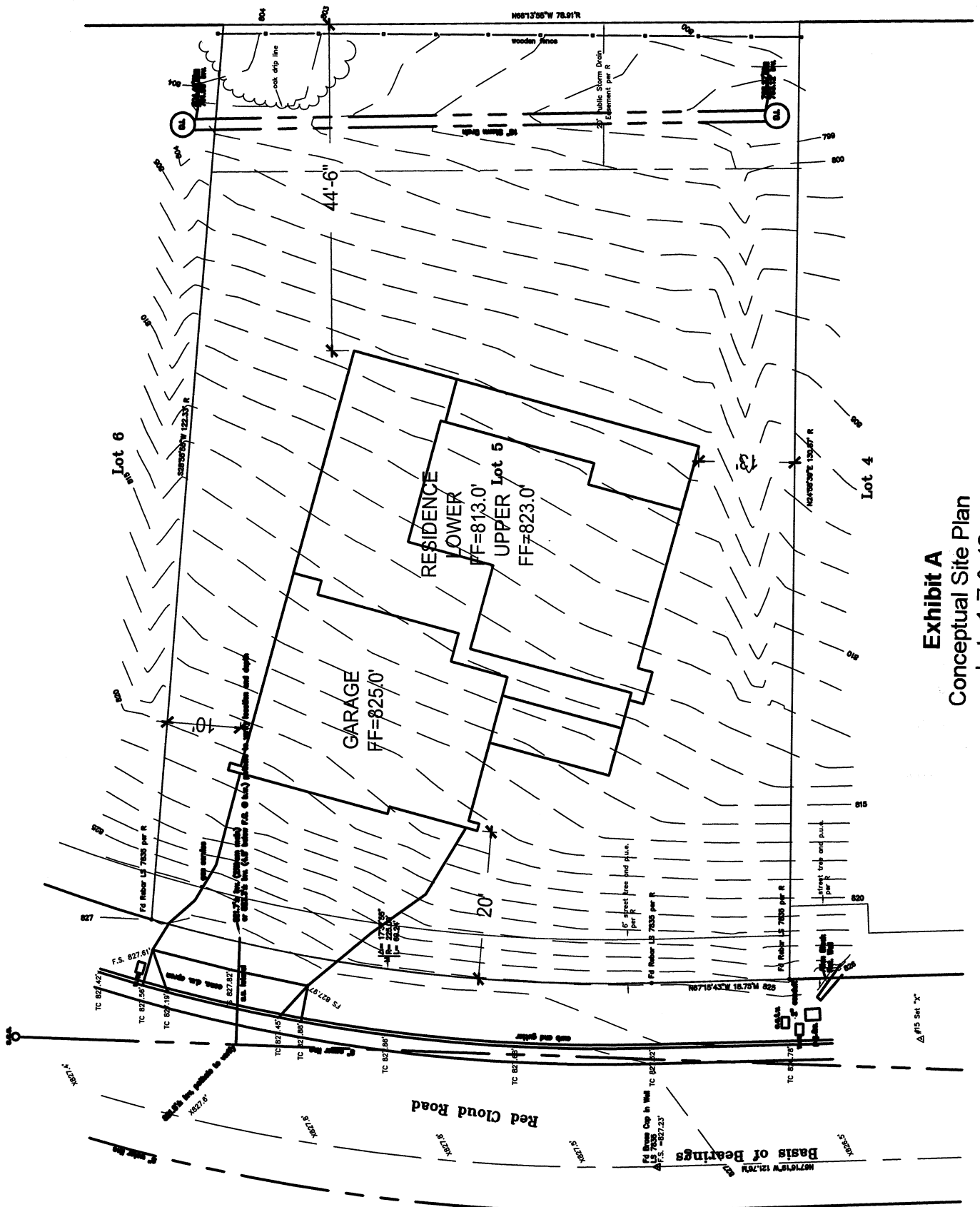
ABSTAIN:

\_\_\_\_\_  
CHAIRMAN PRO TEM, MARGARET HOLSTINE

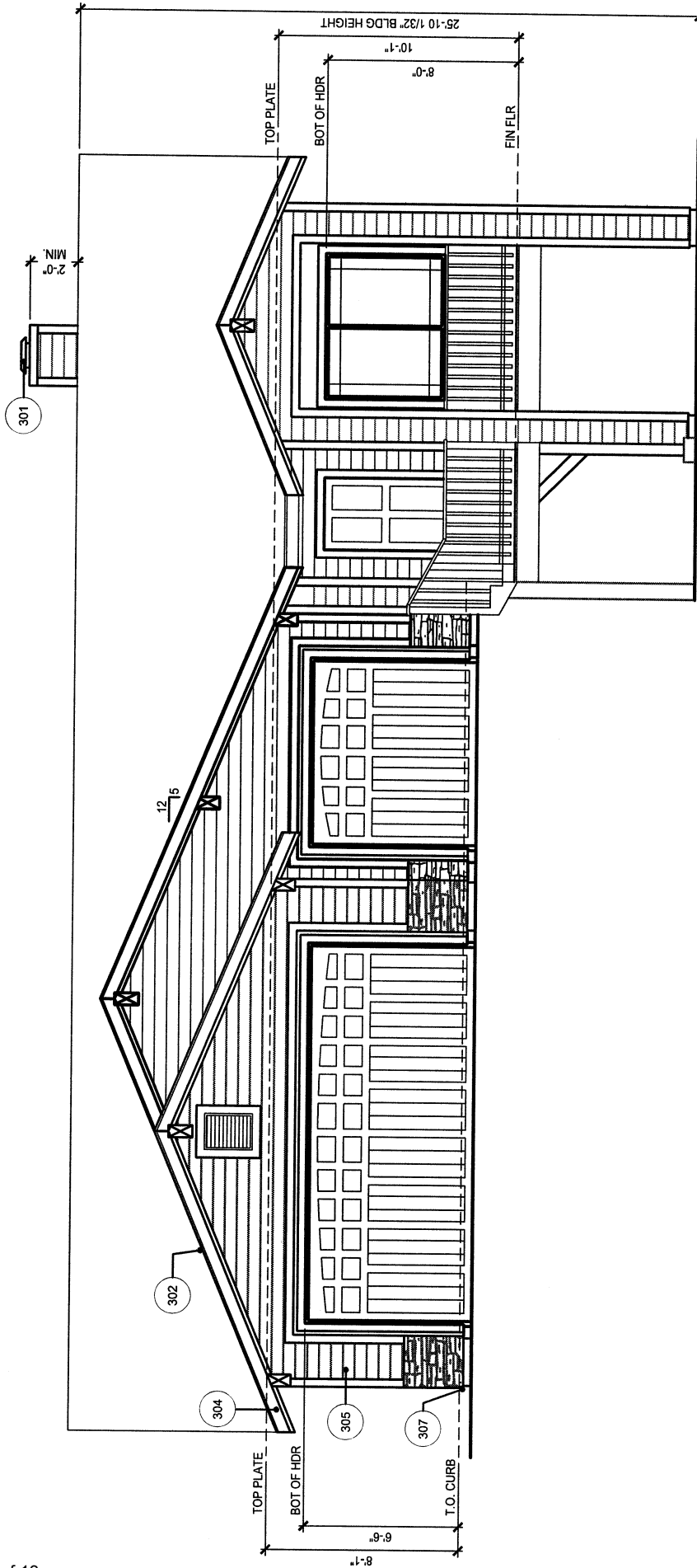
ATTEST:

\_\_\_\_\_  
RON WHISENAND, SECRETARY OF THE PLANNING COMMISSION

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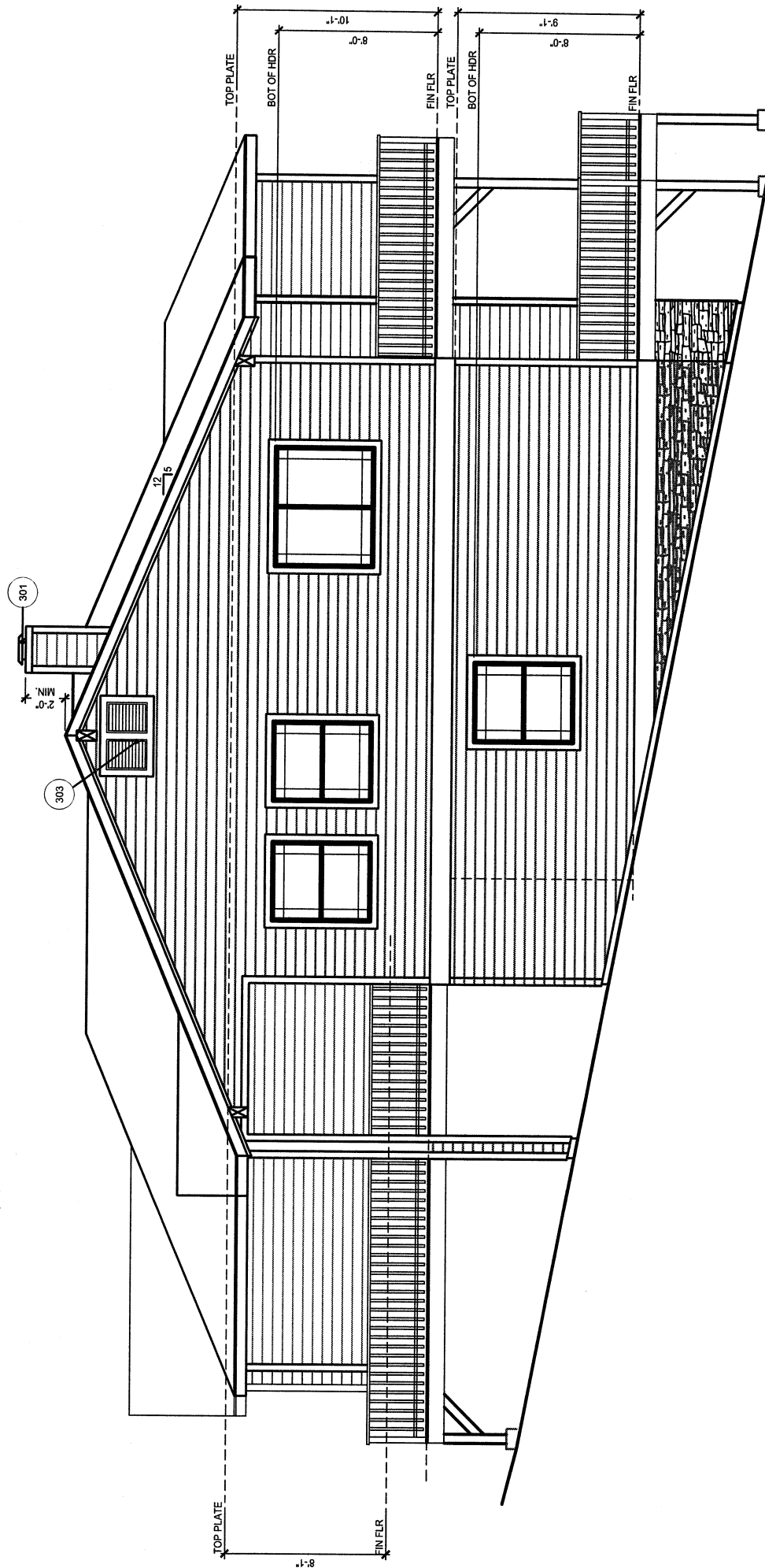


**Exhibit A**  
**Conceptual Site Plan**  
**Lots 1-7 & 40**  
**(Tract 2593)**

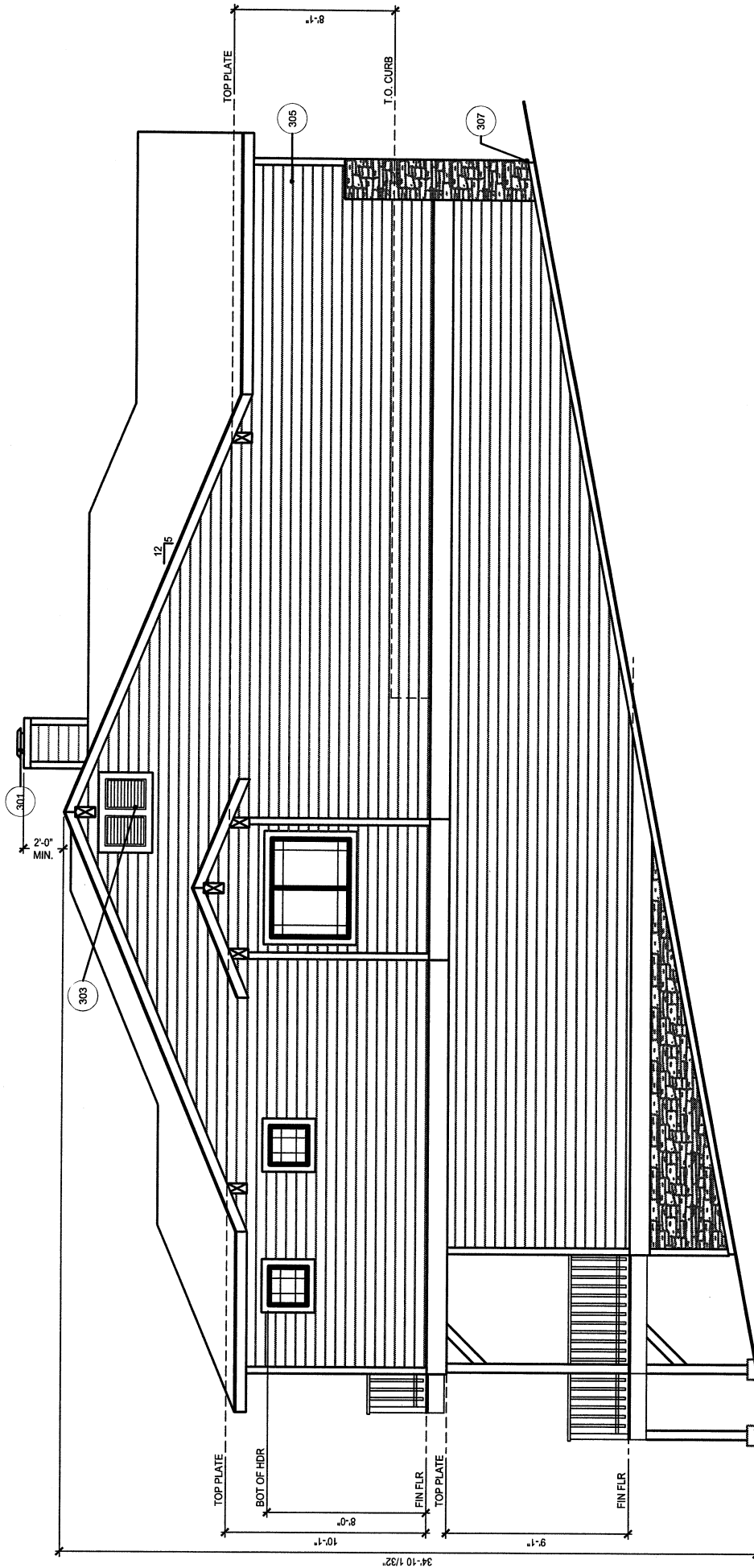


**Exhibit B**  
 Conceptual Front Elevation  
 Lots 1-7 & 40  
 (Tract 2593)

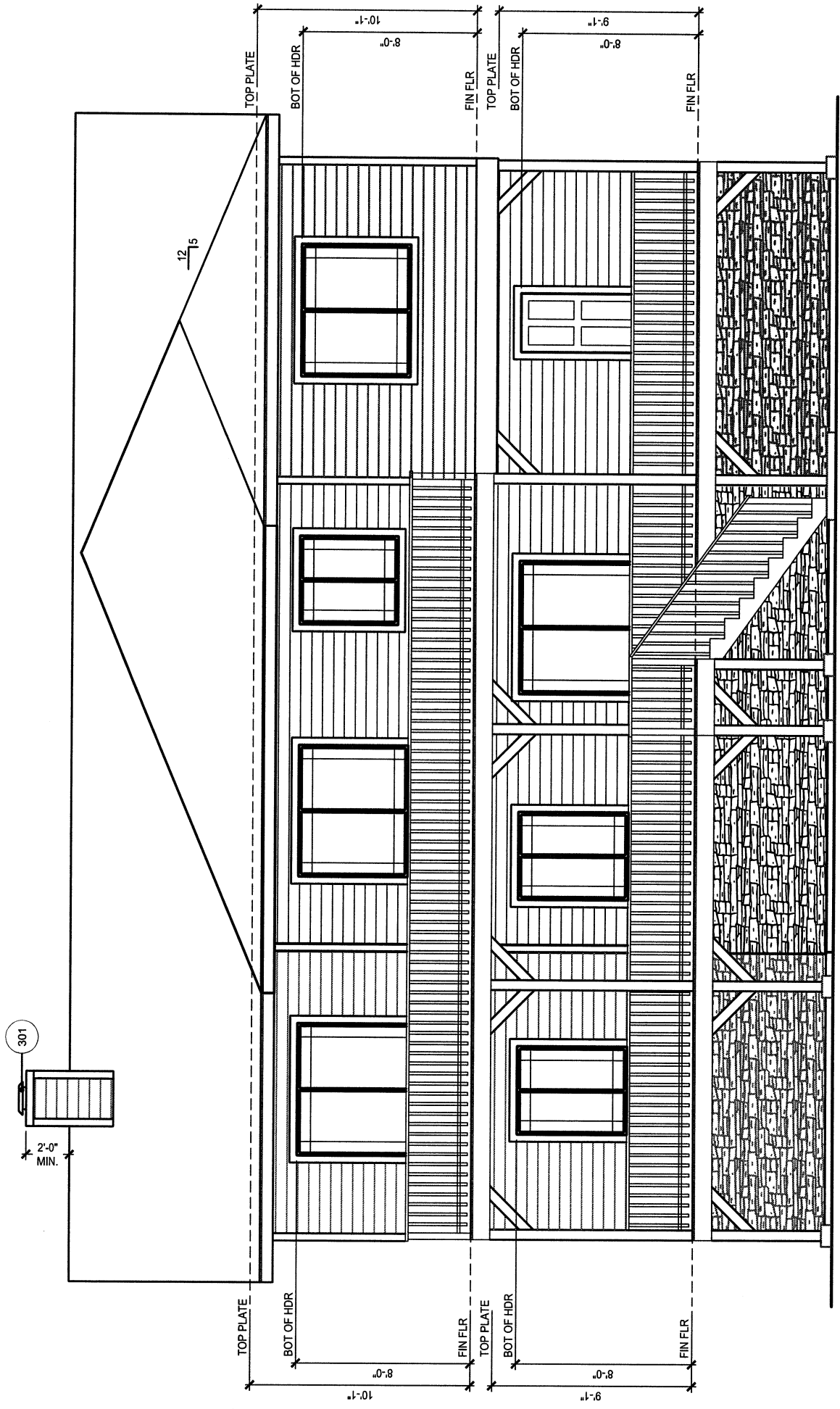




**Exhibit C**  
**Conceptual Right Side Elevation**  
**Lots 1-7 & 40**  
**(Tract 2593)**



**Exhibit D**  
**Conceptual Left Side Elevation**  
**Lots 1-7 & 40**  
**(Tract 2593)**



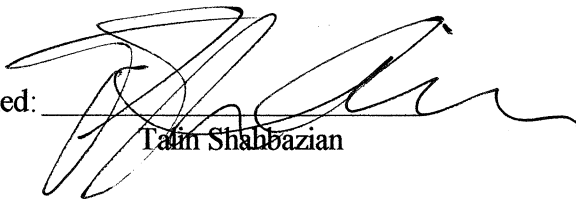
**Exhibit E**  
**Conceptual Rear Elevation**  
 Lots 1-7 & 40  
 (Tract 2593)

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

I, Talin Shahbazian, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Amendment to Tentative Track 2593 & Plan Development 03-019, (applicant City initiated) on this 22<sup>nd</sup> day of December, 2006.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed: \_\_\_\_\_

  
Talin Shahbazian

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

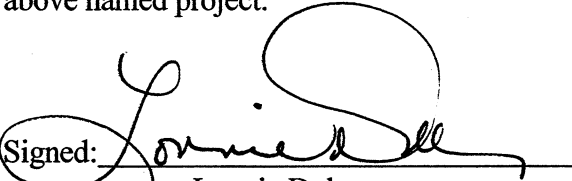
Newspaper: Tribune

Date of Publication: December 27, 2006

Meeting Date: January 9, 2007  
(Planning Commission)

Project: Amendment of Tract 2593 and  
Planned Development 03-019  
(City initiated - Navajo Ave &  
Red Cloud Drive)

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

Signed:   
Lonnie Dolan

**CITY OF EL PASO DE ROBLES**  
**NOTICE OF PUBLIC HEARING:**

**NOTICE IS HEREBY GIVEN** that the Planning Commission of the City of El Paso de Robles will hold Public Hearings to consider the following project:

**Amendment of Tract 2593 and Planned Development 03-019:** Request to amend condition number 10 of Resolution 04-036 approving Tract 2593, eliminating the requirement to prohibit 2-story homes on Lots 1-7, 40 and 23. After further review of these lots, in order to comply with the Grading Ordinance and in order to keep the house closer to the front of the lot, rather than down the hill closer to the rear fence, it appears that it is necessary to construct a two story house.

Tract 2593 is located at the terminus of Navajo Avenue and Red Cloud Drive. This amendment would be specific to Lots 1-7, 40 and 23. No other lots in the tract would be affected by this amendment.

The Planning Commission meeting will begin at the hour of 7:30 pm on January 9, 2007, in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.

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

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

Darren Nash, Associate Planner  
December 27, 2006 6510801