

RESOLUTION NO. 99-059
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE PLANNED DEVELOPMENT 99008
(DAVID WEYRICH)
APNS: 025-391-010 AND 025-391-011

WHEREAS, section 21.23.B.030 of the Municipal Code of the City of El Paso de Robles requires approval of a development plan for construction of five or more residential units on a single parcel, which is the case for these parcels, and

WHEREAS, Mr. David Weyrich, has filed a development plan application to construct twelve (12) attached residential units on an approximate 2.8 acre site at the southwest corner of Buena Vista Road and Experimental Station Road, and

WHEREAS, an environmental initial study was prepared for this development plan request, covering the physical site and design issues associated with the new construction and site development, and

WHEREAS, a public hearing was conducted by the Planning Commission on July 27, 1999, August 10, 1999, and September 14, 1999 to consider the initial study prepared for this application, and to accept public testimony regarding this proposed environmental determination on the development plan, and

WHEREAS, a resolution was adopted by the Planning Commission approving a mitigated Negative Declaration status for this project, and a mitigated Negative Declaration was prepared for the proposed Planned Development application in accordance with the California Environmental Quality Act, and

WHEREAS, based upon the facts and analysis presented in the staff reports, public testimony received and subject to the conditions of approval listed below, the Planning Commission makes the following findings:

1. That the proposed Planned Development is consistent with the goals and policies established by the general plan;
2. That the proposed Planned Development is consistent with the zoning code;
3. That the proposed Planned Development will be consistent with all other adopted codes, policies, standards and plans of the city;
4. That the proposed Planned Development will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the person residing or working in the neighborhood, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city;
5. That the proposed Planned Development accommodates the aesthetic quality of the city as a whole;

6. That the proposed Planned Development is compatible with, and is not detrimental to, surrounding land uses and improvements, provides appropriate visual appearance, and contributes to the mitigation of environmental and social impacts;
7. That the proposed Planned Development contributes to the orderly development of the city as a whole;
8. That the proposed Planned Development is consistent with the goals and policies contained within the Borkey Specific Plan applicable to this project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby resolve, determine and order as follows, based upon the facts and analysis presented in the staff reports, and public testimony:

STANDARD CONDITIONS:

1. The applicant shall comply with all those conditions which are indicated on "Exhibit A" to this resolution.

SITE SPECIFIC CONDITIONS:

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

COMMUNITY DEVELOPMENT:

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	Preliminary Site Plan
C	Preliminary Grading, Drainage and Utility Plan
D	Preliminary Landscaping Plan
E	Preliminary Building Elevations
F	Preliminary Floor Plans
G	Preliminary Illustrative Site Plan
H*	Color and Material Board
I*	Color Rendering

* On file in the Community Development Department.

3. The approval of Planned Development 99008 authorizes the site development and construction of twelve (12) attached residential units with ancillary parking, private patio areas and shared swimming pool and recreational facilities (including the tot-lot).
4. The building architecture, use of color and materials shall be architecturally compatible with the style and detail depicted in Exhibits "E", "F", "H" and "I."

5. This project approval shall expire within the term established in the standard conditions (Exhibit A), unless a time extension has been requested prior to that said expiration date and subsequently granted by the Planning Commission.
6. Prior to the issuance of building permits for construction, the developer shall submit detailed plans for review and approval by the Planning Staff and/or Development Review Committee (DRC) as described in the standard conditions (Exhibit A). Final plans shall include informational detail on decorative and perimeter walls, fencing/screening of service areas, trash enclosures, location and screening methods for electrical transformer vaults and back flow valves, heating and air conditioning units, light fixtures, tot-lot equipment/features, and related project details.
7. All signs shall be subject to review and approval by the DRC, consistent with City zoning code.
8. The approval of this planned development application in no way is intended to preclude or modify rights as established by law. Planning Commission action does not add or take away any rights that have already been established by law.
9. The lot merger, currently on file in the Community Development Department, shall be finalized prior to building permit issuance.
10. Prior to grading or building permit issuance, the applicant shall obtain approval from the City Council for the removal of oak trees. The only oak trees identified for removal in conjunction with this planned development application are the two (2) blue oaks located along the Experimental Station Road frontage that are affected by the street widening. All other oak trees area to be retained and preserved in accordance with the City's Oak Tree Preservation standards.

ENGINEERING DIVISION

11. Prior to the issuance of a grading permit, the applicant shall obtain approval from the City Council to remove two oak trees at Experimental Station Road. All other oak trees are to be protected during construction.
12. Prior to the issuance of a Certificate of Occupancy, Experimental Station Road shall be dedicated and improved to a Local Urban Street Standard A-5. These improvements include concrete curbs, gutter, sidewalk, parkway landscaping and irrigation, streetlights, and one-half of paving along the project frontage.
13. Prior to the issuance of a Certificate of Occupancy, the applicant shall install a separate fireline with a backflow prevention device and a separate domestic water service. If the applicant installs a separate irrigation service, it shall also have its own backflow prevention device.
14. The on-site water, sewer, and storm drain system shall remain private and its maintenance shall be the responsibility of the developer.
15. Prior to the issuance of a Certificate of Occupancy, all existing overhead utility lines on or adjacent to the subject property shall be placed underground.

16. Prior to the issuance of a building permit, the property owner shall record an instrument, to be approved by the City Attorney, naming the city of El Paso de Robles as the sole agent for pumping and delivering the overlyer's groundwater water rights.
17. All existing structures on the property shall be removed. On-site water wells and septic system shall be abandoned in accordance to applicable State Health Standards and as directed by the City's Building Official.

PASSED AND ADOPTED THIS 14th day of September, 1999, by the following Roll Call Vote:

AYES: NEMETH, TASCONA, FERRAVANTI, JOHNSON, WARNKE, STEINBECK

NOES: NONE

ABSENT: NONE

ABSTAIN: FINIGAN

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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