

RESOLUTION NO. 99-071

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
PARCEL MAP PR 99-035
(NEWPORT EQUITY CAPITAL CORP.)
APN: 009-831-008

WHEREAS, Parcel Map PR 99-035, an application filed by Central Coast Engineering on behalf of Newport Equity Capital Corporation, to subdivide an approximate 6 acre commercial parcel into four (4) parcels of approximately one (1) acre each, located on the north side of Gahan Place, west of Theater Drive and south of Highway 46 West, and

WHEREAS, the subject site is located in the C-2,PD (Highway Commercial, Planned Development Overlay) zoning district which requires that a Planned Development application be considered concurrently for the parcel map request, and

WHEREAS, consistent with the C-2,PD zoning the applicant has filed Planned Development 99004 concurrently with this parcel map to establish an adopted set of future development standards for the build-out of each of the four (4) parcels proposed, and

WHEREAS, an environmental initial study was prepared for this parcel map and development plan request, covering the land division and physical site and design issues associated with the parcel map request, and

WHEREAS, public hearings were conducted by the Planning Commission on September 14, 1999 and October 26, 1999 to consider facts as presented in the staff report prepared for the parcel map and planned development applications, and to accept public testimony regarding the proposal, 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;
2. 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;
4. The site is physically suitable for the proposed density of development;

5. 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;
6. The design of the land division and types of improvements proposed are not likely to cause serious public health problems;
7. 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;
8. The construction of the required improvements noted herein, within the specified time frames noted herein, are necessary to assure orderly development of the 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 99-035 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.

COMMUNITY DEVELOPMENT

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>
B	Tentative Parcel Map PR 99-035

3. The existing residence shall be demolished prior to recordation of the final parcel map. All necessary permits for such demolition shall first be obtained through the Community Development Department/Building Division.
4. A decorative block wall and landscaping shall be installed along the Highway 46 West frontage in a manner to be approved by the Development Review Committee (DRC). A grading plan, as necessary, shall be provided to accommodate a logical placement of the wall in relationship to slope and future anticipated pad areas for parcels. The wall and landscaping shall be installed as part of other public improvements prior to map

recordation. These improvements shall be maintained via a Landscaping and Lighting District as with the other parkway landscaping in Gahan Place and Fortini Drive.

5. A detailed landscaping plan shall be provided for approval by the DRC prior to map recordation for the following areas:
 - o Along Highway 46 West adjacent to the decorative screen
 - o Parkway and street trees along Gahan Place
 - o Parkway and street trees along Fortini Drive (cul-de-sac)
6. A master landscape material palette shall be submitted to the DRC for review and approval prior to map recordation. This palette will be required to be used by each parcel in future development applications.
7. A detailed design of the project perimeter walls shall be provided for review and approval by the Development Review Committee (DRC) prior to map recordation. The walls along the western and eastern property boundaries may be installed at the time of development of those parcels.
8. The almond trees/remaining stumps shall be removed from the site prior to map recordation.
9. A non-access strip shall be recorded along the Highway 46 frontage.
10. All conditions of the resolution approving Planned Development 99004 shall be complied with in a manner to be determined by the Public Works and Community Development Directors.
11. Constructive notice of all conditions and requirements of Planned Development 99004 shall be provided to future lot owners in a manner to be approved by the City, in conjunction with map recordation.
12. A master sign program shall be approved for the planned development prior to map recordation. The sign program is to be reviewed and approved by the DRC and shall include limitation on size and placement of signs facing Highway 46 and requirements for shared use of any highway oriented sign that might be applied for in the future through a Conditional Use Permit process (no highway sign is approved at this time). The sign program shall also contain standards for the architectural character and quality of any future highway sign (no pole sign - but rather, an architecturally treated pylon type sign).

ENGINEERING

13. Prior to map recordation, the applicant shall agree not to protest to the formation of an Assessment District to construct any future improvements at the Highway 46 and 101

interchange at the project build-out of this study area. The agreement shall be in a form approved by the City Attorney and shall include constructive notice to future property owners of the assigned agreement of such waiver with property transfer. The applicant and/or future property owners/developers shall pay his/their pro-rata share based on benefit to the project.

14. Prior to or concurrent with the recordation of the parcel map, the applicant shall record constructive notice for future buyers that a detention basin will be installed as part of the development of each parcel. The basin shall be designed and constructed in accordance to the City's Standards and Specifications.
15. Prior to the recordation of the parcel map, the applicant shall improve Gahan and the on-site street with concrete curbs, gutter, sidewalk, pavement, parkway landscaping and irrigation, streetlights, utilities, sewer and water facilities. All these improvements shall be designed and constructed in accordance to the City's Standards and Specifications.
16. Prior to the recordation of the parcel map, the applicant shall extend the sewer main from Theater Drive to serve the project.
17. 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.

PASSED AND ADOPTED THIS 12th day of October, 1999 by the following Roll Call Vote:

AYES: JOHNSON, NEMETH, STEINBECK, TASCONA, WARNKE
NOES: NONE
ABSENT: FERRAVANTI, FINIGAN
ABSTAIN: NONE

CHAIRMAN, ED STEINBECK

ATTEST:

ROBERT A. LATA, SECRETARY OF THE PLANNING COMMISSION

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