

RESOLUTION NO.: 00-032
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR TRACT 2296
(EARL JACOBS)

APN: 025-402-013

WHEREAS, EMK & Associates on behalf of Earl Jacobs have filed an application for Tentative Tract 2296 which proposes to subdivide an approximate 4 acre site into 11 single family residential parcels, located at the northwest corner of Mesa Road and Prospect Avenue, and

WHEREAS, Planned Development 00-007 has been filed in conjunction with this tentative map request, and

WHEREAS, the Union/46 Specific Plan is shown to be a potential connecting residential street and the specific plan does not explicitly require dedication and improvements for Prospect Avenue north of Mesa (depending on the design of the subdivision/development plan), and

WHEREAS, As part of this application the applicant has requested that Prospect Avenue, north of Mesa Road remain as a private driveway and not dedicate and improve the road, since access would not be take off of Prospect, and

WHEREAS, Mr. Jacobs has obtained written concurrence from the adjacent property owners that rely on Prospect for access, 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 proposal that the portion of Prospect Ave. to the north of Mesa Road remain as a private driveway), 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, 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, this item was reviewed at the Planning Commission meeting on May 23, 2000, where the Planning Commissioners were concerned with the design of the proposed private street and its ability to handle the drainage for the area as well as the possible need in the future for a full city street, and

WHEREAS, this item was continued to the hearing of June 13, 2000, in order to allow the applicants to develop designs that show how the drainage would be handled and to also show a design for a full city street and cul de sac and how that would impact the oak trees in the area, and

WHEREAS, a public hearing was conducted by the Planning Commission on June 13, 2000, where the public hearing was opened and continued to the Planning Commission on June 27, 2000, as requested by the applicant for more time to prepare the information requested by the Planning Commission, and

WHEREAS, a public hearing was conducted by the Planning Commission on June 27, 2000, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision, zone change and associated planned development, and

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

1. As conditioned, the proposed tentative subdivision map is consistent with the adopted General Plan for the City of El Paso de Robles.
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;
4. The site is physically suitable for the proposed density of development;
5. The design of the subdivision 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 and types of improvements proposed are not likely to cause serious public health problems;
7. The design of the subdivision 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;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby grant tentative map approval to Tract 2296 as well as accepting the development of Prospect Avenue, north of Mesa Road as a private driveway, subject to the following conditions:

STANDARD CONDITIONS:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "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 wall placement and amount of landscaping along Highway 46 shall conform to the revised plans dated May 12, 2000 (Exhibit B of this resolution). Detailed landscape plans shall be submitted to the DRC prior to the issuance of Grading Permit.
3. A 6-foot high decorative masonry wall to match the wall on the northern boundary of the project shall be installed along the Prospect Avenue on the east sides of lots 7, 8, 9 & 11. A 5-foot landscape strip shall be provided between Prospect Avenue and the privacy wall. This landscaping shall be located in the Landscape and Lighting District. Detailed landscape plans shall be submitted to the DRC prior to the issuance of Grading Permit
4. 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
C	Preliminary Grading and Drainage Plan
D	Proposed Private Street Standard Section

5. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 00-007 and its exhibits.

6. The project, as proposed, is to be developed in a single phase. Any subsequent phasing shall be approved by the Planning Commission following a public hearing as part of an application to amend the tentative map.
7. Grading and/or construction shall be halted in the event that significant archaeological resources are discovered. Grading and/or construction may be resumed upon determination and implementation of appropriate mitigation measures as recommended by the archaeologist and approved by the City Engineer.
8. Prior to the recordation of the final map, the applicant shall provide constructive notice to all future property owners of lots adjacent to the Highway 46 that special noise mitigation measures may be required of second story construction and that in order to determine the extent of mitigation, additional noise impact analysis and compliance with the Acoustic Design Manual of the General Plan Noise Element will be required at the time of building permit for a two story residence.
9. The name of the street (cul de sac) shall be Milano Court as requested by the applicant.

PUBLIC WORKS:

10. Roadway dedications shall be made for Milano Court as part of the recordation of the final map for Tentative Tract 2296. Improvements for this roadways(including streetlights, parkway landscaping, water, sewer, gas, phone, electricity, cable, concrete curbs, gutter, sidewalk, and paving), shall be completed and accepted by the City Council prior to the recordation of the final map. If the applicant wishes to record the map ahead of completing these improvements, the applicant may enter a Subdivision Agreement with the City Council and post bonds to secure completion. The amounts of the bonds shall be in accordance to Standard Condition No. D-2.
11. The applicant shall install a manhole for its sewer main connection at Mesa Road.
12. Prior to the recordation of the final map, parkway landscaping and streetlights along Mesa Road and a cross-gutter as Mesa Road intersects Prospect shall be completed and accepted by the City Council. If the applicant wishes to record the map ahead of completion of these improvements, he may enter a Subdivision Agreement with the City Council and post bonds in to secure completion. The amounts of bonds shall be in accordance to Standard Condition No. D-2.
13. Prior to the recordation of the final map, the applicant shall pay all applicable sewer connection fees for the existing residential unit (Lot 7). The existing septic system which currently serves the home in Lot 7 shall be abandoned in accordance to the City's Building Official and/or applicable State Health Codes.
14. Prior to the recordation of the final map, the applicant shall submit drainage calculations confirming that the detention basin has been designed in accordance to the City's Standards

and Specifications. The calculations shall be prepared by a licensed civil engineer and reviewed and approved by the City Engineer.

15. Prior to or concurrent with the recordation of the final map, all property owners adjacent to Prospect Road shall record a Private Maintenance Agreement agreeing that they are responsible for the maintenance of the private roadway. The Agreement shall be in a form acceptable to the City Engineer and/or the City Attorney. Proposed section for Prospect Road shall include the installation of concrete swales along both sides of the streets.
16. Prior to the recordation of the final map, the applicant shall place all overhead utilities underground as part of his construction drawings.
17. Storm drain easement shall be dedicated on the final map and shall be a minimum of 15-feet wide.
18. Prior to the issuance of a grading permit for the tract, the applicant shall obtain approval from Caltrans to allow the construction and discharge of water through an outfall proposed behind Lot 7.
19. Privacy walls along Highway 46 and Prospect Avenue shall be maintained by the individual property owners. The applicant, however, shall provide access through the Highway 46 wall so that City staff can maintain the landscaping along Highway 46. Location and details of this access shall be to the satisfaction of the City Engineer.
20. In addition to the items to be annexed to the Landscape and Lighting District as listed in Standard Condition D-3, the area along Highway 46 shall also be annexed into the District and its maintenance paid via District assessments.

AIR POLLUTION CONTROL DISTRICT SUGGESTED CONDITIONS

21. All glazing to be dual pane.
22. Wall and ceiling insulation to be upgraded one level from title 24 requirements.
23. Appliances, furnaces, water heaters and lighting to be high efficiency and energy conserving.
24. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site during the construction period.

PASSED AND ADOPTED THIS 27th Day of June, 2000 by the following Roll Call Vote:

AYES: Warnke, McCarthy, Nemeth, Steinbeck, Tascona, Finigan

NOES: None

ABSENT: Johnson

ABSTAIN: None

CHAIRMAN GARY NEMETH

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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