

RESOLUTION NO.: 00-041
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR TRACT 2374
(JM WILSON DEVELOPMENT COMPANY)
APN: 009-661-042

WHEREAS, Tentative Tract 2374 has been filed by JM Wilson Development Company, a proposal to subdivide an approximate 23-acre multiple family zoned site into 55 residential lots for the construction of 55 residential units, and

WHEREAS, the proposed subdivision would be located west of South River Road at its intersection with Navajo Avenue, east of and adjacent to the Salinas River and north of the Woodland Plaza Shopping center, and

WHEREAS, this subject parcel is zoned R-2, PD (Residential Multiple Family Low Density, with Planned Development Overlay), and

WHEREAS, this project site was previously developed with a Meat Packing / Slaughterhouse facility that was demolished in 1995 and was the subject of remedial environmental work, and

WHEREAS, Planned Development 00-005 has been filed in conjunction with this tentative map request to meet Section 21.23B.030 of the Zoning Code, which requires Planning Commission approval of a development plan for base zones which are in the planned development (overlay) district, and

WHEREAS, the Planned Development application proposes to create individual residential lots for single family home development with a minimum size of 6,000 square feet and to dedicate, in fee, a 10-acre portion of the site as permanent open space, and

WHEREAS, the Planned Development application proposes to create a single family-like residential product with individual private rear yard space and individual garages with front yards at a lesser density than normally permitted within the R-2 district, in exchange for the following reductions in zoning standards:

- a) The reduction of the set back from an Arterial Road (South River Road) for four (4) lots from 25 feet to: 13 feet, 17 feet and two lots of 19 feet;
- b) Elimination of 2 Tot-lots in exchange for providing larger private rear yard space than called for in the RMF district;

WHEREAS, a public hearing was conducted by the Planning Commission on July 25th, 2000, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision and associated planned development, and

WHEREAS, an Expanded Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) and a mitigated Negative Declaration was approved by the Planning Commission on July 25th, 2000, 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 2374 subject to the following conditions of this resolution:

STANDARD CONDITIONS:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution. When future applications are submitted to the City for development of the newly created lots, additional site specific conditions will apply. Note: All checked standard conditions shall apply unless superseded by a site specific condition.

COMMUNITY DEVELOPMENT 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.

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	Tentative Tract Map / Master Plan
C	Tentative Tract Map / Preliminary Grading, Drainage, Utility
Plans	
D	Grading Cross Sections
E	Tentative Tract Site Plan
F1 – F3	Conceptual/Typical Landscaping Plans
G	Fencing / Wall Plan
H	Sound Wall Cross Sections
I	Southern Bike Way Connection – Revised Exhibit
J	River Road – Sections A,B & C

3. This Tentative Tract Map 2374 and Planned Development 00-005 authorizes the subdivision of approximately 23 acres into 55 residential lots for development of one single family residence per lot.
4. The maximum number of residential developable lots permitted within this subdivision/development plan shall be 55. No lots shall be eligible for further subdivision (with the exception of minor lot line adjustments) and no lots shall be permitted to be developed beyond one unit per recorded lot.
5. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map, preliminary grading plan, phasing plan, utilities, cross sections, and landscaping improvements (Exhibits B - G, reductions attached; full size copies are on file in the Community Development Department) and as amended by site specific and standard conditions contained in this resolution.
6. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 00-005 and its exhibits.
7. The tract is proposed to be built in a single development phase. If the developer were to propose phasing of the project, it shall be necessary for a phasing plan to be considered as an

amendment to the Tentative Tract and Planned Development applications, to be considered by the Planning Commission at a public hearing.

8. Prior to recordation of a Final Map, the following detailed plans shall be submitted for review and approval by the Development Review Committee (DRC):
 - South River Road parkway landscaping
 - Interior Street (“A”, “B” & “C” Streets) Parkway Landscaping
 - Landscaping and Fencing for Open Space (5,267 square feet) between lots 19 and 47
 - Pedestrian/Bikeway Paths
 - South River Road Sound Wall and Wall returns (along “A” Street)
 - Rear Yard (perimeter fence) behind lots 4 through 55
9. The applicant shall implement all mitigation measures contained in the Project Mitigation Table of the Project’s Environmental Initial Study. These mitigation measures have been incorporated as project conditions within both the Tentative Tract and Planned Development Resolutions.

Air Quality

10. The applicant shall incorporate the following design and operational measures to minimize short term air emissions:
 - Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceeds 15 mph. Reclaimed (non-potable) water should be used whenever possible;
 - All dirt stock-pile should be sprayed daily as needed;
 - Permanent dust control measures identified in the approved project re-vegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
 - Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grasses seed and watered until vegetation is established;
 - All disturbed soil areas not subject to re-vegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the local agency (who may consult with APCD);
 - Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer);
 - Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
 - Sweep streets at the end of each day if visible soil material is carried onto adjacent road. Water sweepers with reclaimed water should be used where feasible.
11. The applicant shall design and provide for the following long term air emission mitigations as part of the project design as follows:
- When feasible, orient buildings to maximize natural heating and cooling;
 - Provide for street tree planting as shown;
 - Provide for pedestrian and bicycle access within project as shown;
 - Utilize outdoor electrical outlets to encourage the use of electric appliances and tools when feasible;
 - When feasible, use of built-in energy efficient appliances, double-paned windows, and energy efficient interior lighting.

Traffic and Circulation

12. Exhibit “B” shows South River Road to be three different widths at three separate points. They are labeled Sections A, B & C. The road width sections shown in Exhibit “J” correlate to the Sections labeled on Exhibit “B.” As part of the recordation of the final map for Tentative Tract 2374, roadway dedications shall be made for River Road in a manner to achieve the construction of the cross sections shown in Exhibit “J” at the points of cross section/transition shown in Exhibit “B.” In addition, all on-site residential streets shall be dedicated to the City’s local street standard in conjunction with final map recordation. Improvements for these roadways (including streetlights, parkway landscaping, water, sewer, concrete curbs, gutter, sidewalk, storm drain, vehicle pull-out areas and paving), shall be completed and accepted by the City Council prior to the issuance of a Certificate of Occupancy. The applicant may post bonds in lieu of completion of improvements in accordance to Standard Condition No. D-2 if he wants to record the map ahead of time.
13. Prior to the issuance of a grading permit, the applicant shall prepare supplement traffic analysis (in a manner and format acceptable to the City Engineer) to determine this project’s proportional share of the cost to install a traffic signal at the Navajo/South River Road intersection. This study will also determine whether payment of Standard Traffic Impact Mitigation Fees, paid on a per unit basis in conjunction with securing individual building permits, is sufficient towards meeting this tract’s proportional share for a future signal at

Navajo Avenue. In the event Standard Traffic Impact Mitigation Fees are insufficient to cover this project's proportional share of the signal, the applicant shall pay a "lump sum" supplemental mitigation fee as demonstrated by the study, prior to map recordation

14. Prior to the recordation of the final map, the applicant shall improve River Road in accordance to the cross sections illustrated in the attached Exhibit "J" and at the points of cross section/transition shown in Exhibit "B." In addition, the applicant shall provide a pull-out section (northbound and if feasible, a southbound) for disabled vehicles to park so as not to obstruct traffic flow. The applicant shall also install a pedestrian path connection from the sidewalk on River Road to the proposed bikepath adjacent to the River Channel.
15. Prior to the recordation of the final map, the applicant shall dedicate and construct a pedestrian/bike path within the and through development. The pathway shall be designed in accordance to the City's Standards and Specifications, Caltrans, and reviewed and approved by the City Engineer prior to construction.

Biology & Wildlife

16. The 10.91 acres of Open Space designated on the Tentative Tract Map shall be dedicated in fee to the City of Paso Robles as permanent open space with map recordation, consistent with the City's General Plan policies for preservation and conservation of natural resource areas.
17. Erosion control measures shall be undertaken throughout construction to reduce water velocity and inhibit soil movement.
18. At the developer's expense, the following list of measures have been required for implementation to ensure avoidance of potential impacts to individuals of the San Joaquin kit fox species:
 - a) Immediately prior to commencement of construction activities (at least 30 days prior to), the developer shall retain a qualified biologist to perform a kit fox survey of the site and update the previous "kit fox habitat evaluation form" to verify that no kit fox dens exist on the site;
 - b) If kit fox are found on site, specific measures for avoiding impacts to kit fox will then be identified and implemented through consultation with USFWS and CDFG, and according to current protocols for kit fox protection.
19. Prior to issuance of a grading permit, the applicant shall obtain all the required permits from Fish and Game and Army Corps of Engineers, and other agencies as applicable, to allow any work adjacent to or within the Salinas River flood plain and riparian fringe.

Oak Tree Protection

20. No oak trees are proposed or approved for removal in conjunction with this map and development plan. All oak trees located within and/or adjacent to the project site shall be preserved. If final construction drawings indicate grading or site disturbance within the drip-lines of any of these oak trees, those plans shall be accompanied by a Certified Arborist Report evaluating impacts of such grading on those trees and providing appropriate mitigation measures to assure oak preservation. Any and all mitigation measures identified in said Arborist Report shall be implemented in a manner as prescribed by City staff.
21. Tree protection fences shall be installed as necessary during construction of pathways near the oak trees.

Noise

22. A decorative block screen wall shall be installed along South River Road (see Exhibits G & H) at the following minimum heights to reduce & deter noise impacts to a less than significant level for proposed homes:
 - a) For lots 1, 2, 3 and 4 - the wall shall be 6 feet above the planned pad level of dwellings;
 - b) For lots 31, 41, 42 and 46 - the wall shall be at least six feet above the planned finish pad or floor levels of dwellings.
23. Where the noise performance standards permit under the Noise Study, the developer can submit revised wall/fence plans for consideration by the Development Review Committee for the lots adjacent to South River Road. These plans can propose a reduced height for the decorative wall or a combination of open fencing design to minimize the visual impact of the wall.
24. The following specifications apply only to dwellings on lots 1, 2, 3, and 4 and lots 31, 41, 42 and 46 to mitigate noise to a less than significant level in accordance with the City's Noise Element/standards. Ventilation openings, soffit vents, and gable-end vents shall be placed insofar as possible on the north, west and south elevation of the buildings or on elevations facing away from the noise source (as defined in the Noise Study prepared by David Lord and attached as Appendix D to the Environmental Initial Study). The construction specifications identified in the aforementioned Appendix D (pages 5 and 6) will result in the required performance of 30 dBA along the critical elevations of future construction and shall be utilized.

Cultural/Archaeological

25. In the event that during site construction there are archaeological or historical resources unearthed, work shall stop and the developer and/or his contractor shall contact the

Community Development Department so that appropriate mitigation measures can be identified and implemented per CEQA requirements.

ENGINEERING SITE SPECIFIC CONDITIONS

26. The applicant shall install a manhole for its sewer main connection at River Road.
27. Prior to the recordation of the final map, the applicant shall construct a sewer lift station to City Standards and Specifications to serve this tentative tract. The lift station shall be dedicated to the City for maintenance.
28. Prior to the issuance of a grading permit, the applicant shall receive approval from the Federal Emergency Management Administration (FEMA) to allow the revision to the 100 year floodplain line.
29. Concurrent with map recordation and in a format to be approved by the City Attorney, the developer shall provide constructive notice to future lot owners that the City has plans to install a Water Treatment Plant facility in the same location as the existing City wells that are directly west of the project site.
30. Prior to the map recordation, 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.
31. Concurrent with map recordation and in a format to be approved by the City Attorney, the developer shall provide constructive notice to future lot owners that the conditions and stipulations of PD 00-005 govern the density and design standards for this subdivision. This notice shall explicitly state that the maximum number of permissible dwelling units per lot shall be one (1).

EMERGENCY SERVICES

32. The Street names within the project shall be established from the following list and assigned as follows:
 - “A” Street – Shall be a continuation of Navajo Avenue
 - “B” Street – Shall be one continuous name from the following list:

- Red Hawk
- Golden Eagle
- Sandstone

(Willow and Aspen are secondarily approved if necessary)

“C” Street – Shall be from the same list as noted above

PASSED AND ADOPTED THIS 25th Day of July, 2000 by the following Roll Call Vote:

AYES: FINIGAN, JOHNSON, NEMETH, MCCARTHY, TASCONA, WARNKE

NOES: NONE

ABSENT: NONE

ABSTAIN: STEINBECK

CHAIRMAN GARY NEMETH

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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