

RESOLUTION NO.: ~~00-085~~
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR TRACT 2404
(COHOUSING)
APN: 009-815-010

WHEREAS, Cohousing Resources Group has filed an application, Planned Development (PD) 00-016, for authorization to construct 31 multi-family residential units and 5 single-family units on a 14.4 acre site located on the north side of Nicklaus Road, south of Niblick Road, north of Pat Butler Elementary School; and

WHEREAS, the project site is designated by the Land Use Element of the General Plan for Residential, Multiple Family, Low (RMF-L) Land Use and is zoned R-2,PD; and

WHEREAS, the project site is located in a Planned Development Overlay Zoning District and Municipal Code Section 21.16A.050 requires adoption of a development plan in conjunction with the development of any property within a Planned Development Overlay District; and

WHEREAS, a public hearing was conducted by the Planning Commission on November 28, 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, a Mitigated Negative Declaration was adopted by the Planning Commission for this project, in accordance with the California Environmental Quality Act; 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 2404 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.

2. The project shall be constructed so as to substantially conform to the following listed exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
B	Tentative Tract Map
C	Tentative Grading & Drainage Plan
D	Master Site Plan
E	Detailed Site Plan

COMMUNITY DEVELOPMENT SITE SPECIFIC CONDITIONS:

3. The project shall comply with all conditions of approval contained in the resolution granting approval to development plan PD 00-016, and its exhibits.
4. If, during any future construction excavation, any buried or isolated cultural materials are unearthed, work in the affected area should stop until these materials can be examined by a qualified Archeologist and appropriate recommendations made regarding their treatment and/or disposition. Such examination should be conducted under the coordination of the City of Paso Robles.
5. The project shall be developed in a single phase, including all amenities and improvements reflected on the submitted exhibits. Any proposal to develop the project in multiple phases shall be subject to Planning Commission consideration and approval as part of a subsequent amendment to this Planned Development. Prior to granting approval of any phasing plan, the City may impose additional conditions upon this Planned Development relative to phasing which are necessary to protect the public health, safety and welfare and orderly development of the City.

6. The applicant shall retain a qualified biologist to monitor the site during construction. If the biologist finds raptor nests on the site, the following mitigation measures shall be implemented:
 - a. To avoid taking of active raptor nests, necessary tree removals or pruning should be conducted between September 15 and February 15, outside of the typical nesting season.
 - b. If any tree removals are determined to be necessary between February 15 and September 15, a raptor nest survey shall be conducted by a qualified biologist prior to any identified tree removals or pruning.
 - c. If the biologist determines that a tree slated for removal or pruning is not currently used by nesting raptors, the applicant shall apply for appropriate permits for tree removal or pruning.
7. Prior to issuance of a Certificate of Occupancy, a Bus Shelter, of the dark green metal type installed at various locations in the City, shall be installed in a location in front of the project site to be determined by the Directors of Public Works and Administrative Services.
8. All existing oak trees shall be retained. Prior to the issuance of a Grading Permit, the following mitigation measures shall be performed in the manner depicted in the "Tree Protection & Tree Preservation Report for Cohousing Resources" dated November 1, 2000, prepared by Jack Brazeal:
 - a. Install a 6 foot chain link protection/construction fence at the perimeter of the oak woodland (as indicated on the site plans).
 - b. Prune any horizontal branches that interfere with the construction of the protection fence and adjacent buildings.
 - c. Mark or stake the perimeter line for the tree protection fence to be used as a guide for tree pruning.
 - d. Prune all the trees needed for the tree protection fence installation.
 - e. All tree pruning is to be performed by a certified arborist, monitored and approved by the site arborist.
 - f. The tree protection fence is to be installed taut and erect with 3 inch steel posts every 10 feet with no gate or opening. Sloppy or sagging fencing is not acceptable.
 - g. The tree protection fence is to be installed after the tree pruning is completed.
 - h. Do not grade, remove duff, store materials or equipment or perform any type of construction activities prior to the tree pruning and protection fence installation.
 - i. The tree protection fence is to remain in place until the project is complete.

- j. Do not store any chemicals including petroleum products within 100 feet of existing trees on the site.

Prior to the issuance of a Grading Permit the above mitigations shall be completed and a letter from the Arborist shall be submitted acknowledging that the mitigations have been met.

- 9. The following air quality mitigation measures shall be included in the project:
 - a. Energy efficient appliances;
 - b. double-paned windows;
 - c. Increase wall and ceiling insulation beyond Title 24 requirements;
- 10. The following standard air quality measures shall be followed during construction of the project:
 - a. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site;
 - b. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible; building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
 - c. Vehicle speed for all construction equipment shall not exceed 15 mph on any unpaved surface at the site;
 - d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard in accordance with CVC Section 23114;
 - e. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved roads.
- 11. Prior to 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 overlying's groundwater water rights.

ENGINEERING SITE SPECIFIC CONDITIONS

- 12. Prior to the issuance of a grading permit, the applicant shall submit a haul route to export any excess dirt from the project site.
- 13. Currently, about 540 feet of the 1500 feet frontage is improved with curb, gutter, street lights and 5 foot wide sidewalk adjacent to the curb. Prior to the issuance of a Certificate of Occupancy, Nicklaus Street shall be improved to City Standard A-5, which would require installing concrete curb, gutter, sidewalk, paving, parkway landscaping and irrigation, and streetlights. The A-5 standard would require a landscape parkway separating the curb and the sidewalk.
- 14. Prior to acceptance of the Final Map for recordation, the applicant shall agree to annex into the City's Landscape and Lighting Maintenance District for payment of the maintenance and operation costs of street lights, landscaping and maintenance of the open space areas.

15. Prior to the issuance of a Certificate of Occupancy, the applicant shall install a traffic signal at the intersection of Nicklaus and Niblick Road. The applicant may, at his discretion, request from the City Council, to be reimbursed for a portion of the installation costs.
16. Prior to the issuance of a Certificate of Occupancy, the applicant shall install separate fireline and domestic water lines to serve the project. A backflow prevention device shall be installed with the fireline system. Maintenance of both water systems shall be the responsibility of the homeowners' association.
17. Any connections to the sewerline in Nicklaus Street shall be made in a manhole. It is recommended that a minimum 6-inch diameter line be installed.
18. Prior to the issuance of a grading permit, the applicant shall dedicate the open space and drainage easement south of the property to the City's Landscape and Lighting Maintenance District.
19. Concurrent with the issuance of a building permit, and in addition to standard sewer connection fees, the applicant shall pay the South River Road Sewer Reimbursement (\$80.00/unit) and the Meadowlark Sewer Reimbursement (\$293.25/unit).

EMERGENCY SERVICES DEPARTMENT SITE SPECIFIC CONDITIONS

20. Fire hydrants will be required on Nicklaus with spacing of not more than 300 feet. On site hydrants will be placed on the property at intervals of not more than 300 feet, with 1 additional fire hydrant along the north walkway. The interior fire line will be required to have a backflow preventer/double detector valve at the connection with the city water main. The hydrant locations shall be approved by Emergency Services prior to construction.
21. The emergency access road shown on the plan connecting the north end of the project to Nicklaus Drive, shall be 16-feet wide and be constructed to support fire engines. An audio controlled gate shall be constructed approximately 30 feet off of Nicklaus Drive.
22. All buildings will be required to have an approved full coverage automatic fire sprinkler system installed. The system must be monitored for water flow, supervisory and tamper at a minimum. Tamper alarms are required on the DDC.
23. Approved addressing and/or signage will need to be approved prior to construction.
24. All required alarms will be installed and operating prior to occupancy.
25. Provisions shall be made to update the Fire Department Run Book. The map will need to show all right of ways, lot lines, footprint of buildings. (if available), hydrant locations etc. Developer can contact the Emergency Services Division for exact requirements.
26. A vegetation management plan will be submitted to Emergency Services for approval prior to construction. The plan will need to include the removal of dead vegetation and the

trimming of trees to limit exposure to fires. The plan will need to be verified by the arborist.

PASSED AND ADOPTED THIS 28th Day of November, 2000 by the following Roll Call Vote:

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

NOES: None

ABSENT: None

ABSTAIN: Steinbeck

CHAIRMAN GARY NEMETH

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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