

RESOLUTION NO.: 01-053
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE AMENDMENT TO PLANNED DEVELOPMENT 00-004
(ESTRELLA ASSOCIATES)

APN: 025-391-57

WHEREAS, on July 5, 2000 the City Council adopted Resolution 00-133 (Tentative Tract 2376) and Resolution 00-132 (PD 00-004) to grant tentative map approval and development entitlements for Neighborhoods 7, 8 & 9 of Sub Area B of the Borkey Specific Plan, and

WHEREAS, the conditions of the aforementioned project approvals required the construction of a solid decorative block wall along the northern tract boundary adjacent to Neighborhood 9 and a portion of Neighborhood 8, and

WHEREAS, the final grading design for the northern project boundary resulted in a fill slope of approximately 1 to 4 feet in height, and

WHEREAS, the applicant has obtained a slope easement from the adjoining property to the north who is Cuesta College, and

WHEREAS, Estrella Associates has filed a development plan application to modify grading and wall treatment along the northern project boundary to move the fill slope further to the north and to construct a combination block and wooden wall at top of slope (rather than a solid block wall), and

WHEREAS, it is desirable from a privacy and maintenance standpoint to correlate a property line with the top of a slope, and

WHEREAS, the applicant's proposed modification would accomplish the desired goal of placing property boundary at top of slope, and

WHEREAS, the back yards of homes in neighborhoods 8 and 9 would be approximately 1 to 4 feet higher than the preliminary grading/project design, and

WHEREAS, the raised elevation of the rear yards will aid in creating privacy and separation between the residences and the future Cuesta College expansion, and

WHEREAS, the modification from a solid block wall to a combination block wall and wood fence will likely accomplish the original intent of privacy and noise separation, and

WHEREAS, this project is Categorically Exempt from environmental review per Sections 15303(e) and 15304 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA), and

WHEREAS, a public hearing was conducted by the Planning Commission on July 10, 2001, to consider this grading and fencing application, and to accept public testimony regarding this proposed development plan amendment, 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 amendment is consistent with the goals and policies established by the general plan;
2. That the proposed Planned Development amendment is consistent with the zoning code;
3. That the proposed Planned Development amendment will be consistent with all other adopted codes, policies, standards and plans of the city;
4. That the proposed Planned Development amendment 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 amendment accommodates the aesthetic quality of the city as a whole;
6. That the proposed Planned Development amendment 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 amendment contributes to the orderly development of the city as a whole.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve the amendment to grading and fencing treatment proposed by Estrella Associates, subject to the following conditions of approval:

1. The proposed grading revision shall be consistent with the attached Exhibit "A" showing location of the fill slope on the adjoining property to the north currently owned by Cuesta College.
2. It shall be the applicant/developer's responsibility to obtain all necessary approvals/authorizations from the adjoining property owner to accomplish the proposed grading treatment.
3. The applicant shall be responsible for properly hydroseeding slopes along the northern project boundary in a manner to be approved by the City Engineer.
4. In lieu of a solid six foot high decorative masonry wall, the applicant shall be permitted to construct a combination block and wooden wall/fence along the northern boundary of Neighborhood 9 and portion of 8. The wall / fence combination shall be consistent with the detail shown in Exhibit "B."

The on-going maintenance of this wall/fence shall be the responsibility of the Neighborhood 9 Home Owners Association as approved by the City Attorney.

5. The developer shall comply with all other conditions approved and in place for this subdivision/development as reflected in Resolutions 00-132 and 00-133 (Tract 2376 and PD 00-004).

PASSED AND ADOPTED THIS 10th day of July, 2001, by the following Roll Call Vote:

AYES: CALLOWAY, JOHNSON, MCCARTHY, NICKLAS, STEINBECK, TASCONA,
WARNKE

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

CHAIRMAN, RON JOHNSON

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY