

RESOLUTION NO.: 01-074  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE AMENDMENT TO PLANNED DEVELOPMENT 99021  
(WEYRICH DEVELOPMENT COMPANY)  
APN: 025-361-12

WHEREAS, on November 23, 1999 the Planning Commission adopted Resolution 99-089 (Tentative Tract 2350) and Resolution 99-090 (PD 99021) to grant tentative map approval and development entitlements for the subdivision of an approximate 90-acre site into 175 single family residential parcels, and

WHEREAS, the subject site is located between Rolling Hills Road and Golden Hill Road, north of the Creston Road and the Williams Plaza shopping center, and

WHEREAS, the conditions of the aforementioned Planned Development approval established certain specific conditions applicable to the residential build-out of the subdivision, including restrictions on building heights for corner lots, and

WHEREAS, the applicant has rough graded the majority of the subdivision at this time and has proceeded with the design of model home designs for 38 of the lots that are located within the gated community portion of the subdivision, and

WHEREAS, after designing those model homes and determining the grading and driveway configurations that would be necessary to support their proposed construction, the applicant has determined it necessary to make the following requests for modification to the existing conditions of approval for Planned Development 99021:

- Request for permission to build two-story homes on corner lots (5 of the 38 lots);
- Request for permission to allow detached accessory buildings in front of the primary residence (rather than behind the residence) and within the standard front yard setback (5 of the 38 lots);

WHEREAS, it is desirable from a grading and development approach to allow for “stepped” home design that will better conform to a sloping lot, but such stepped design by its inherent nature will exceed a single story definition in whole or in part, and

WHEREAS, only one of the requested two-story elements is located on a “perimeter” lot along Rolling Hills Road, but is in that case only a partial two-story element that is located away from the street facing side (west) and is two-story on the interior (east) side, and

WHEREAS, the general purpose and intent behind prohibition of detached buildings within the front yard area is to preclude the placement of inappropriate structures of limited architectural quality (“out buildings” or “sheds”) in areas intended for landscape and open space buffers to the main residence, and

WHEREAS, in the case of the applicant's request each of the detached buildings is keeping with the overall architectural character and quality of model homes and will also adhere to the required front yard set back requirement of the R1 zone, and

WHEREAS, in the recent past the Planning Commission has used the Planned Development process to authorize the placement of detached "casitas" structures within the front yard set back areas of residential lots (example would be tract 1895 – Centex homes), and

WHEREAS, neither of these two condition modifications would appear to compromise the quality and character of the estate lot project as it was initially approved, and

WHEREAS, the applicant's proposed modification would accomplish their desired goal of placing quality designed models in a manner that remains sensitive to topography and adjoining public streets, and

WHEREAS, on September 11, 2001 the Planning Commission opened the noticed public hearing (for which mail notices had been circulated) and continued the open public hearing to September 25, 2001 to allow for a newspaper notice publication to be correctly published, and

WHEREAS, on September 25, 2001 the Planning Commission considered public testimony and written materials of record regarding this development plan amendment request, and

WHEREAS, this project is Categorical 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 September 11, 2001, to consider this modification to project conditions to allow two-story units on certain corner lots and to permit detached accessory buildings within certain front yards, 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 eliminate certain limitations on two-story unit placement and provisions for establishing detached accessory buildings within the front yard setback of certain lots within the gated portion of Tract 2350 proposed by Weyrich Development Company, subject to the following conditions of approval:

1. The applicant may place two-story structures (including partially stepped and/or split level homes) on the lots shown in Exhibit A of this resolution (these parcels are more specifically described as Lots # 157, # 158, # 166, # 167 and # 175. The model home design and character for these lots shall be consistent with exhibits on file in the Community Development Department that reflect the quality and combination of single and double stories.
2. The applicant may establish detached accessory buildings in front of the primary residences (but adhering to the required R-1 setbacks for main buildings – 15 feet for non garage door portions of the building) on the lots shown in Exhibit A of this resolution (these parcels are more specifically described as Lots # 148, # 154, # 163, #165, and # 170). The design of these detached elements shall be consistent with the exhibits on file in the Community Development Department that reflect the complementary nature of these architectural elements to the main buildings.
3. The developer shall comply with all other conditions approved and in place for this subdivision/development as reflected in Resolutions 99-089 and 99-090 (Tract 2350 and PD 99021).

PASSED AND ADOPTED THIS 25th day of September, 2001, by the following Roll Call Vote:

AYES:	CALLOWAY, JOHNSON, MCCARTHY, NICKLAS, STEINBECK, TASCONA, WARNKE
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

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CHAIRMAN, RON JOHNSON

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY