

RESOLUTION NO.: 02-006
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING AN AMENDMENT
TO CONDITIONS OF APPROVAL FOR
TRACT 2281

(SHADOW CANYON)

APNS: 025-361-021 & -022, 009-571-014, 009-579-018, 009-571-021

WHEREAS, Tentative Tract 2281 and Planned Development 98-001 were approved by the Planning Commission on August 25, 1998, via resolution numbers 98-058 and 98-059, and

WHEREAS, a Mitigated Negative Declaration was prepared for the project and adopted on August 25, 1998, via Planning Commission Resolution 98-057, and

WHEREAS, on December 14, 2001 James Guthrie, agent for Shadow Canyon/Canyon Park LLC, applied for an amendment to conditions of approval for the project in order to eliminate Standard Condition D-12, related to the requirement to underground an existing utility line adjacent to the property that does not serve the property, and

WHEREAS, an Initial Study and Negative Declaration was prepared to address the application for amendment to the conditions of approval, and

WHEREAS, public notice of the proposed Negative Declaration was given as required by Section 21092 of the Public Resources Code, and

WHEREAS, a resolution adopted by the Planning Commission approved a Negative Declaration status for this project, and a Negative Declaration was prepared for the proposed Planned Development application in accordance with the California Environmental Quality Act, and

WHEREAS, a public hearing was conducted by the Planning Commission on January 8, 2002, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed project, 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 based on the City's independent judgment, the Planning Commission of the City of El Paso de Robles does hereby approve an amendment to conditions of approval for Tract 2281, subject to the following conditions:

CONDITIONS OF APPROVAL:

The applicant/developer shall comply with all standard and site-specific conditions contained in Planning Commission Resolutions 98-058 and 98-059, for Tract 2281 and Planned Development 98-001 and 98-001-II, with the following modifications:

1. Prior to obtaining a final Certificate of Occupancy for the last residence to be constructed in Phase II, the applicant shall annex to the Landscape and Lighting District and provide landscaping for the portion of property located west of lots 5-8, 46, and 47, along the east side of Golden Hill Road between Creston Road and Red River Road. A landscape plan for this area shall be submitted to Staff for review.
2. Based on findings related to the unique physical circumstances and historic development patterns particular for this case, Standard Condition D-12, which requires undergrounding of all existing utilities on or adjacent to the site, is hereby modified to specifically exclude the first utility pole located at the southeast corner of Creston and Grand Canyon Drive and lines thereon (Pole #1 on Location Map). The applicant shall underground the balance of all lines and services on or offsite as originally required by Standard Condition D-12. It is anticipated by the Planning Commission that Pole # 1 will be undergrounded at a later date (e.g. in conjunction with the balance of Creston Road).

PASSED AND ADOPTED THIS 8TH DAY OF JANUARY, 2002, 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

I:\CommDev\RESOL\PC 2002\01-08-02.doc\Tract 2281 amend. reso.doc