

RESOLUTION NO.: 02-035
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO AMEND PLANNED DEVELOPMENT 99019
(KOMAN/RIDINO)

APNS: 009-451-019, 022 AND 030

WHEREAS, section 21.23.B.030 of the Municipal Code of the City of El Paso de Robles requires approval of a development plan for construction of buildings when located in the planned development overlay district, which is the case for these parcels, and

WHEREAS, the Planning Commission approved Planned Development 99019 on May 8, 2001, authorizing the development and construction of a 23 unit apartment complex, and

WHEREAS, Joel Koman has filed an amendment to an approved development plan application for a Planned Unit Development consisting of 23 multiple family residential units and one open space lot on an approximate 3-acre site which is located on the north side of Creston Road between Trigo Lane and Ivy Lane, and

WHEREAS, the Amendment request is to change the approved multiple family residential project from “Apartments” to a “Planned Unit Development” allowing for individual ownership of the units, and

WHEREAS, all other components of the application request are consistent with the previously approved Planned Development 99019, and

WHEREAS, this project site is designated for low density multiple family (RMF-L) development in the General Plan and is zoned R-2, PD, and

WHEREAS, an environmental initial study was prepared for the development plan request, covering the physical site and design issues associated with the new construction, and

WHEREAS, the Planning Commission adopted Resolution 01-044 Granting Negative Declaration Status for Planned Development 99019, and

WHEREAS, the Planning Commission has determined that this requested Amendment falls within the scope of the approved Negative Declaration for Planned Development 99019, and consistent with California Environmental Quality Act Guidelines, Section 15162, no further environmental study is necessary, and

WHEREAS, this project went before the Planning Commission at their hearing on June 11, 2002, where the project was opened and continued to June 25, 2002 to allow addition staff review of the project, and

WHEREAS, a public hearing was conducted by the Planning Commission on June 25, 2002, to consider this Amendment application, and to accept public testimony regarding this amendment to the approved development plan, 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:

1. That the proposed Amendment to Planned Development 99019 is consistent with the goals and policies established by the general plan;
2. That the proposed Amendment to Planned Development 99019 is consistent with the zoning code;
3. That the proposed Amendment to Planned Development 99019 will be consistent with all other adopted codes, policies, standards and plans of the city;
4. That the proposed Amendment to Planned Development 99019 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 Amendment to Planned Development 99019 accommodates the aesthetic quality of the city as a whole;
6. That the proposed Amendment to Planned Development 99019 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 Amendment to Planned Development 99019 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 resolve, determine and order as follows, based upon the facts and analysis presented in the staff reports, and public testimony:

STANDARD CONDITIONS:

1. The applicant shall comply with all those conditions which are indicated on "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.

COMMUNITY DEVELOPMENT:

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	Preliminary Site Plan
C	Preliminary Landscaping Plan
D1-D2	Preliminary Floor Plans
E1-E2	Preliminary Elevations for Unit 1A & 1B
F1-F2	Preliminary Elevations for Unit 2A & 2B
G*	Color and Material Board

* On file in the Community Development Department.

3. The approval of the Amendment to Planned Development 99019 authorizes the construction of 23 two-story Planned Unit residential buildings for individual ownership, one of which may be constructed with potential ancillary storage capabilities for the on-site owners.
4. Prior to issuance of building permits, the applicant shall record a Final Subdivision Map for Tract 2472.
5. If the applicant chooses to construct the project under the original Planned Development approval, prior to issuance of building permits, the applicant shall submit a formal request in writing to withdraw this amendment application.
6. The applicant shall obtain a demolition permit through the City's Building Division for the demolition of the existing single-family residence in accordance with the conditions of approval for Tract 2472. Any necessary approvals through the San Luis Obispo County Air Pollution Control District shall be the responsibility of the applicant.
7. Prior to issuance of Grading or Building Permits the applicant shall submit a revised site plan (and grading design if necessary) that provides for a minimum of 25 feet of back up space behind each garage, and an additional/widened paved area for cars backing out of garages at units: 1, 3, 6, 8, 9, 13, 19, and 23.
8. Prior to the issuance of Grading or Building Permits, the applicant shall submit the following for staff review and approval by the Development Review Committee:
 - a. Final details for perimeter fencing, which shall be a minimum height of 6 feet.

- b. Final details for the tot-lot shown between units 16 and 17. Details shall include a minimum of two (2) “play amenities” for children, complementary landscape, hardscape and passive furniture for the area to function for onsite homeowners.
 - c. A revised site plan (and grading plan if necessary) that locates the kiosk mailbox area, trash enclosure design and locations.
 - d. Final landscaping plans, which shall include the following:
 - 1) Additional shrubs shall be introduced along the Creston corridor (in place of larger expanses of ground cover) to enhance the planted setback. The final plans shall reflect appropriate spacing of all plant materials and shall include a palette that will result in “visual abundance” of the vegetation.
 - 2) The addition of a hardscape pathway to connect the western portion of the site through the interior landscaping to the Tot Lot area.
 - 3) The addition of a hardscape pathway to connect the apartments down to Creston Road towards the eastern end of the site (towards the Nickerson signal). This pathway shall be constructed of decorative hardscape material that will complement the project quality.
 - e. Final drawings which shall include informational detail on perimeter fencing, screening of service areas, trash enclosures (if applicable), signs, location and screening methods for electrical transformer vaults and back flow valves and related details.
 - f. All monument signs shall be subject to review and approval by the DRC, consistent with City zoning code.
 - g. The final building elevations if they are modified to eliminate the chimneys where alternative methods of fireplace/heating units are used. Also, revisions to the dormer features (shown clouded on elevation exhibits).
 - h. Final roofing materials, which shall be constructed to utilize architectural grade composition roofing materials (minimum of 30 year) for aesthetic and long term maintenance purposes.
9. Unit 23, as shown on the approved plans, shall be developed with larger internal living area, or as a double unit with the second unit designated (developed) for storage areas to serve on-site residents, only. The project is not dependent on this storage, provided that private storage areas are retained in the garage design of each unit. However, if a second unit is developed, the unit shall be a part of the “common area” and shall be maintained by the Property Owners / Homeowners’ Association. The second unit is not to be used as a residential dwelling unit and may not be equipped with plumbing or cooking facilities.
10. Street trees shall be introduced into the final landscaping plan as required by the Streets Division of the Public Works Department for the Creston Road parkway. The parkways shall be annexed to the City’s Landscaping and Lighting District per the standard

conditions of approval. However, at the time that maintenance assessment costs are established, the applicant will have the ability to provide maintenance through a Homeowners' Association rather than pay for contract maintenance through the district. Maintenance of the parkway shall be clearly spelled out in the Conditions, Covenants and Restrictions for the project.

11. The applicant shall be permitted to phase the occupancy of the units in accordance with the conditions of approval for Tract 2472. As phasing is structured, no unit(s) shall be occupied until all Creston Road public improvements (including frontage landscaping) are completed, until on-site utility infrastructure is completed, and until health and safety requirements are completed. Landscaping, fencing, tot lot and related non-health and safety improvements/amenities may be phased as units are completed in accordance with the phasing exhibit. Prior to issuance of building permits, in conjunction with review of other project details, the applicant shall provide finalized details of phasing lines to the DRC for final review and approval.
12. The Ash Trees are approved for removal as shown on the plan and require no special permit prior to removal. However, the mature trees shown to be retained are expected as visual mitigation for the project. In the event the final grading design necessitates any change to these trees being retained, the DRC shall have the ability to review the removal request on its merits.

EMERGENCY SERVICES DEPARTMENT

13. On-site directional / directory signs shall be established for the project in accordance with the Emergency Services Department review and approval to assure adequate identification for emergency response to individual units. This identification system shall be coordinated with the Emergency Service Run Books.
14. On site circulation and turn-around areas shall be kept clear and posted/delineated as "no parking" where deemed necessary by the Fire Chief.
15. On site hydrants shall be located in a manner to be approved by the Fire Chief.

ENGINEERING DIVISION

16. All development impact fees, including signalization and bridge impact fees, shall be paid prior to issuance of the building permit.
17. An offer of dedication to provide for the ultimate section of Creston Road north of centerline along the property shall be submitted prior to issuance of the building permit.
18. All public improvements, including installation of landscaping, shall be completed to the satisfaction of City staff and accepted by the City Council prior to issuance of certificates of occupancy.

19. The existing well and septic system shall be abandoned prior to issuance of a grading permit, in accordance with all City and County Public Health rules and regulations.

PASSED AND ADOPTED THIS 25th day of June, 2002, by the following Roll Call Vote:

AYES: Ferravanti, Kemper, McCarthy, Steinbeck, Warnke

NOES: Calloway, Johnson

ABSENT:

ABSTAIN:

CHAIRMAN ED STIENBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

i/kmargason/tracts/tr2472 Koman/PD Reso