

RESOLUTION NO.: 02-036
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR TRACT 2472
(JOEL KOMAN/BILL RIDINO)

APN: 009-451-019, 009-451-022, 009-451-030

WHEREAS, Tentative Tract Map 2472, filed by Joel Koman/Bill Ridino, is a proposal to subdivide an approximate 2.7 acre multiple family zoned site into a Planned Unit Development consisting of 23 residential units and one common open space lot, and

WHEREAS, the proposed subdivision is located north of and abutting Creston Road, east of North Trigo Lane and west of Ivy Lane, and

WHEREAS, the General Plan Land Use Designation for this subject parcel is RMF-L (Residential Multiple Family, Low Density), and

WHEREAS, this parcel is zoned R-2, PD (Residential Multiple Family Low Density, with Planned Development Overlay), and

WHEREAS, Planned Development 99019 was approved by the Planning Commission on May 8, 2001, and allowed the development and construction of 23 apartment units, and

WHEREAS, Amendment to Planned Development 99019 has been filed in conjunction with this tentative map, to modify the Planning Commission's approval of 23 apartment units on one lot to 23 individually owned units with a common open space lot, and

WHEREAS, a public hearing was conducted by the Planning Commission on June 11, 2002, to open the project for public comment and continue the public hearing to the regularly scheduled hearing of June 25, 2002, and

WHEREAS, a public hearing was conducted by the Planning Commission on June 25, 2002 to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision and associated amended planned development, and

WHEREAS, an Initial Study was prepared for Planned Development 99019 in accordance with the California Environmental Quality Act (CEQA) and a mitigated Negative Declaration was approved by the Planning Commission on May 8th, 2001, and

WHEREAS, the scope and content of the approved Negative Declaration adequately addresses this application and all proposed mitigation measures have been included in the conditions of approval for this project, therefore no further environmental analysis is necessary (CEQA Guidelines, Section 15162), 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;
8. The Planning Commission has the authority under the Planned Development Overlay requirements to review and approve requested modifications and waivers to the zoning standards as detailed in the Resolution Approving Amended Planned Development 99019;

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 2472 subject to the following conditions of this resolution:

STANDARD CONDITIONS

1. The applicant/developer shall comply with the standard conditions indicated as applicable in "Exhibit A" to this resolution. Note: All checked standard conditions shall apply unless superseded by a site specific condition.

COMMUNITY DEVELOPMENT 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:

EXHIBIT	DESCRIPTION
A	Standard Conditions for Subdivisions
B	Tentative Tract Map
C	Preliminary Grading Plan
D	Preliminary Grading Cross Sections
E	Construction Phasing Plan

3. This Tentative Tract Map 2472 and Amended Planned Development 99019 authorize the subdivision of approximately 2.7 acres into 24 lots, consisting of 23 single family, townhouse residential lots and one common open space lot.
4. The maximum number of residential units permitted within this subdivision / development plan is 23.
5. If the developer chooses to develop the site under the existing approved Planned Development PD99019, as apartments, prior to issuance of building permits, the developer shall submit a formal request for withdrawal of this Tentative Map application.
6. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map, preliminary grading plan, phasing plan, utilities, cross sections, and landscaping improvements (Exhibits A - E, reductions attached; full size copies are on file in the Community Development Department) and as amended by site specific and standard conditions contained in this resolution.
7. The Final Subdivision Map shall show the private open space, as required by Chapter 21.16I of the Zoning Code, as a portion of each individual lot.
8. The project shall also comply with all conditions of approval in the resolution granting approval to Amended Planned Development 99019 and its exhibits.
9. The tract shall be built in three (3) development phases as shown on Exhibit E. Any changes to the proposed phasing plan shall be reviewed and approved by the Development Review Committee and the City Engineer to ensure all public improvements are completed as necessary to support the proposed subdivision.
10. Prior to recordation of the Final Map, the following detailed plans shall be submitted for review and approval by the Development Review Committee (DRC):

- a. Final Landscaping Plan
 - b. Detailed Site Plan, including parking stall dimensions for visitor parking stalls
 - c. Landscaping Plan for the Tot Lot
11. The applicant shall implement all mitigation measures contained in the Mitigated Negative Declaration prepared for PD 99019. These mitigation measures have been incorporated as project conditions within both the Tentative Tract and Amended Planned Development Resolutions.
 12. Pursuant to submittal requirements and Standard Condition B-1 of Exhibit A, prior to occupancy, the applicant shall provide on a 3.5 inch disk or IBM-compatible CD containing a copy of all signed and stamped approved plans, exhibits, resolutions, and all submittal materials and other documentation pertaining to approval of this application, in a PDF or JPEG format, for electronic archiving. The applicant may elect to have the City send out the documents for scanning at the applicant's expense.
 13. Concurrent with map recordation and in a format to be reviewed Planning Division Staff and approved by the City Attorney, the developer shall establish a Homeowners' Association and develop Conditions, Covenants and Restrictions (CC&Rs) that clearly assign the responsibility for maintenance, repair and upkeep of all common use facilities to the Homeowners' Association. Common use facilities shall include, but not be limited to, driveways, visitor parking areas, onsite landscaping, tot lot maintenance, onsite utilities and building exteriors.

Air Quality

14. Prior to issuance of a demolition permit for the existing residence, the applicant shall have the property thoroughly evaluated for the presence of hazardous waste such as solvents, paints, etc that may be present.
15. Prior to the issuance of a demolition permit for the existing residence, the applicant shall demonstrate the following:
 - a. Notification of demolition has been submitted to the County Air Pollution Control District (APCD).
 - b. An asbestos survey conducted by a Certified Asbestos Inspector has been completed and accepted as adequate by the APCD.
 - c. A plan has been prepared and accepted by APCD for removal and disposal of any asbestos that may be identified as the result of item 15 b. above.
 - d. Prior to any onsite burning, the applicant shall obtain a "burn" permit from APCD and the Fire Department of the City of Paso Robles.

16. The applicant shall incorporate the following design and operational measures to minimize short-term air emissions and disruption to the surrounding neighborhoods. Items a through i shall be incorporated into the construction / improvement plans:
 - a. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
 - b. All dirt stockpiles should be sprayed daily as needed;
 - c. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
 - d. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established;
 - e. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the local agency (who may consult with APCD);
 - f. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
 - g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer);
 - h. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
 - i. Sweep streets at the end of each day if visible soil material is carried onto adjacent road. Water sweepers with reclaimed water should be used where feasible.

17. The applicant shall design and provide for the following long-term air emission mitigations as part of the project design as follows:
 - a. Provide for street tree planting;
 - b. Provide for pedestrian within project;

- c. Utilize outdoor electrical outlets to encourage the use of electric appliances and tools when feasible;
- d. When feasible, use of built-in energy efficient appliances, double-paned windows, and energy efficient interior lighting.

Oak Tree Protection

- 18. No oak trees have been identified for this site. If final construction drawings indicate grading or site disturbance within the drip-lines of any oak trees adjacent to the project site, those plans shall be accompanied by a Certified Arborist Report evaluating impacts of such grading on those trees and providing appropriate mitigation measures to assure oak preservation. Any and all mitigation measures identified in said Arborist Report shall be implemented in a manner as prescribed by City staff.

Noise

- 19. The “Best Technology Available” for Noise Control shall be implemented during the construction process, in order to alleviate disruption to the surrounding residential neighborhoods.

Cultural/Archaeological

- 20. In the event that during site construction there are archaeological or historical resources unearthed, work shall stop and the developer and/or his contractor shall contact the Community Development Department so that appropriate mitigation measures can be identified and implemented per CEQA requirements.

ENGINEERING SITE SPECIFIC CONDITIONS

Traffic and Circulation

- 21. Creston Road shall be improved to a Modified A-1 Standard as shown in the Creston Road Plan Line documents.
- 22. All on-site access ways shall conform to the requirements of Chapter 21.22 Off Street Parking and Loading Regulations.
- 23. Prior to issuance of certificates of occupancy, the applicant / developer shall provide a directory at the entry point to the PUD complex.

24. Erosion control measures shall be undertaken throughout construction to reduce water velocity and inhibit soil movement.

Miscellaneous

25. Prior to recordation of the final map, the applicant shall show the recording information for the portion of the subject property dedicated to the City of Paso Robles.
26. Concurrent with map recordation, the applicant / developer shall dedicate six foot wide utility easements adjacent to all streets within the project.
27. All parking lots and parking areas shall be consistent with Chapter 21.22 of the City's Municipal Code.
28. All water and sewer improvements are to be designed and installed to the satisfaction of the City Engineer and the Public Works Division.
29. Prior to issuance of Certificates of Occupancy, the applicant shall provide the City Engineer with a Mylar copy of the final recorded tract map.
30. Prior to recordation of the Final Map, the applicant shall develop provisions for storm water runoff, including onsite retention / detention.

EMERGENCY SERVICES

31. Prior to installation of any entry gates, the applicant / developer shall provide operating information and provisions for emergency operation to the City Fire Department for review, approval and use.
32. All onsite roads shall be named in accordance with Fire Department and Community Development standards.
33. Each tract or phase shall provide two sources of water unless otherwise determined by the Fire Chief and Public Works Director.

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\Tract 2472 Koman\Tr2472 April Reso