

RESOLUTION NO.: 02-052  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT APPROVAL FOR TENTATIVE TRACT MAP 2477  
(MARSDEN)  
APN: 009-451-012

WHEREAS, Tentative Tract 2477 has been filed by Jeff Marsden, to subdivide an approximate 1-acre site into eight (8) condominium lots, and

WHEREAS, the proposed subdivision would be located on the north side of Creston Road, approximately 250 feet east of Ivy Lane (921 Creston Road), and

WHEREAS, the General Plan land use designation is RMF-L (Residential Multiple Family Low Density) and the zoning is R-2, PD (Residential Multiple Family Low Density, Planned Development) for the four developable lots, and

WHEREAS, Planned Development 01-005 Amendment has been filed in conjunction with this tentative map as required by Chapter 21.16A, Planned Development Overlay District, and

WHEREAS, on September 11, 2001, the Planning Commission approved PD 01-005 via Resolutions 01-067 & 01-068 and Negative Declaration and a Development Plan to construct eight (8) apartment units on a one acre site, and

WHEREAS, an Initial Study was prepared for this project and a mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA) was approved by the Planning Commission on September 11, 2001, and

WHEREAS, the recommended project mitigation measures have been incorporated in the conditions of approval for this Tentative Tract Map and the Amended Planned Development applications and further environmental analysis is not necessary, and

WHEREAS, a public hearing was conducted by the Planning Commission on July 23, 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 planned development, 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 the Planning Commission of the City of El Paso de Robles does hereby grant tentative map approval to Tract 2477 subject to the following conditions of this resolution:

**STANDARD CONDITIONS:**

1. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 01-005 Amendment and its exhibits.
2. The applicant/developer shall comply with those standard conditions that are 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.

3. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
B	Tentative Parcel Map
C	Grading Plan

4. The approval of Tentative Tract 2477 Amendment authorizes the subdivision of the 1-acre lot into eight (8) residential lots for the construction of eight (8) single story condominiums, where each unit would have a common interior wall with another.

5. The maximum number of residential developable lots permitted within this development plan shall be eight (8). No lots shall be eligible for further subdivision (with the exception of minor lot line adjustments) and no lots shall be permitted to be developed beyond one unit per recorded lot.
6. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map and preliminary grading plan (Exhibits B & C - reductions attached; full size copy is on file in the Community Development Department) and as amended by site specific and standard conditions contained in this resolution.
7. The subdivision would be built in a single development phase, if the developer were to propose phasing of the project, it shall be necessary for a phasing plan to be considered as an amendment to the Tract Map and Planned Development applications, to be considered by the Development Review Committee.
8. Prior to recordation of a Final Map, Planned Development 01-005 Amendment detailed plans shall be submitted for review and approval by the Development Review Committee (DRC).
9. 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.
10. Pursuant to submittal requirements and Standard Condition B-1 of Attachment A, prior to occupancy the applicant shall provide on a 3.5 inch disk or IBM-compatible CD a copy of all signed and stamped approved plans, exhibits, resolutions, and all submittal materials and other documentation pertaining to approval of this application for electronic archiving. The applicant may elect to have the City send out the documents for scanning at the applicant's expense.

#### **ENGINEERING SITE SPECIFIC CONDITIONS**

11. The applicant shall have the ability to maintain the landscaped parkway in conjunction with the on-site landscaping without additional assessment for such work under the Landscaping and Lighting district.
12. Street improvement plans for Creston Road shall be designed to preserve the existing oak tree and shall be based on an arborist's analysis and recommendations. A copy of the arborist's report shall be provided with the street improvement drawings.
13. Unless determined infeasible by the City Engineer, Creston Road improvements shall include the installation of a storm drain system in accordance with the Creston Road master plan, or the City shall collect pro-rata fees for the applicant's share of the installation of the

system or the applicant shall agree not to protest a future assessment district for the pro-rata share of the storm drain improvements.

14. The applicant shall install streetlights in accordance with the direction of the City Engineer.
15. The applicant shall enter into an assessment district for the future undergrounding of the overhead utility line that runs along the western property line including the line that crosses Creston Road. Any new services would be required to be placed underground.
16. Sewer and waterlines shall be constructed to City Standards as approved by the City Engineer.
17. The applicant shall enter into a Private Maintenance Agreement for the common driveway, and a reciprocal access shall be noted on the tract map.

PASSED AND ADOPTED THIS 23<sup>rd</sup> Day of July, 2002 by the following Roll Call Vote:

AYES: Ferravanti, McCarthy, Steinbeck, Kemper

NOES: Johnson, Calloway

ABSENT: Warnke

ABSTAIN: None

---

CHAIRMAN ED STEINBECK

ATTEST:

---

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

H:\darren\tracts\ tract2477\tract.res