

RESOLUTION NO.: 02-053  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE PLANNED DEVELOPMENT 01-005 AMENDMENT  
(MARSDEN)  
APN: 009-451-012

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 this parcel, and

WHEREAS, Jeff Marsden has filed a development plan amendment and tentative tract map (Tract 2477) application to construct eight (8) single story condominium units on an approximate 1-acre site located on the north side of Creston Road, approximately 250 feet east of Ivy Lane (921 Creston Road), 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:

1. That the proposed Planned Development is consistent with the goals and policies established by the general plan;
2. That the proposed Planned Development is consistent with the zoning code;
3. That the proposed Planned Development will be consistent with all other adopted codes, policies, standards and plans of the city;
4. That the proposed Planned Development 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 accommodates the aesthetic quality of the city as a whole;
6. That the proposed Planned Development 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 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 Planned Development 01-005 Amendment based upon the facts and analysis presented in the staff report, public testimony received, and subject to the following conditions:

**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 with the following listed exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Tentative Tract 2477 Map
B	Preliminary Site Plan
C	Preliminary Grading Plan
D	Grading Cross Section
E	Preliminary Landscaping Plan
F	Preliminary Floor Plans
G	Preliminary Elevations
H*	Color and Material Board

\* On file in the Community Development Department.

3. The approval of Planned Development 01-005 Amendment authorizes the construction of eight (8) single story homes, configured on eight (8) individual lots where each unit would have a common interior wall with another.
4. The applicant shall obtain a demolition permit through the City's Building Division for the demolition of the existing single family residence, including any private waste disposal system (septic) that may be serving the unit. Any necessary approvals through the San Luis Obispo County Air Pollution Control District shall be the responsibility of the applicant.
5. Perimeter fencing shall be a minimum height of 6 feet. Final details shall be part of the final submittal package to the DRC.
6. A minimum of a safety rail shall be installed along the northern property boundary retaining wall as required by Uniform Building Code. The applicant has the option of installing a privacy fence of up to 6 feet in height on top of the retaining wall to match the character of the surrounding project fencing.
7. Prior to issuance of Building Permits, the applicant shall submit final, detailed landscaping and irrigation plans, prepared by a Licensed Landscape Architect for review by the DRC. The final landscaping plans shall include the following revisions:
  - a. Additional shrubs and ground cover shall be introduced along the Creston corridor (in place of larger expanses of bark mulch) 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.
  - b. A minimum of one 15-gallon tree for each unit's rear yard (along the eastern property boundary).
  - c. Planting along the western property line shall include a combination of ground cover, shrubs and trees to enhance the project and off set adjacent paving.
8. Street trees shall be introduced into the final landscaping plan as required by the Streets Division of the Public Works Department.
9. Final drawings shall include informational detail on perimeter fencing, safety railings, signs, location and screening methods for electrical transformer vaults and back flow valves and related details.
10. All signs shall be subject to review and approval by the DRC, consistent with City zoning code.
11. The dwelling unit closest to Creston Road shall incorporate a free standing arbor feature over its walk way to compliment the pathway arbors between the interior duplex units. Because the trellis/arbor shall be an "open" and detached element from the building, it can be determined to be decorative and ancillary to the building. When the DRC reviews final details, they shall be able to determine that such an ancillary architectural feature is an appropriate encroachment into the 25 foot front setback. These details shall be reviewed by the DRC prior to issuance of Building Permits.

- 12. The buildings shall be constructed to utilize architectural grade (25 year +) composition shingle roofing materials. The colors and design shall be part of the final DRC review.
- 13. Visitor Parking spaces shall be clearly marked with signage or pavement markings.

EMERGENCY SERVICES DEPARTMENT

- 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.

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

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CHAIRMAN ED STEINBECK

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY