

RESOLUTION NO.: 02-061
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR TRACT 2457
(ESTRELLA ASSOCIATES)

APN: 025-391-077

WHEREAS, Tentative Tract 2457, filed by Estrella Associates, is a proposal to subdivide an approximate 108-acre site into 215 lots consisting of 210 single family residential lots, 1 community center common lot, 1 private street lot, 1 public golf course lot and 2 public open space lots for the construction of an “active adult” planned development residential community (see Exhibit B attached), and

WHEREAS, the proposed subdivision is located east of North River Road, west of Buena Vista Road and northwesterly of River Oaks Drive, and

WHEREAS, the General Plan land use designation is RSF (Residential Single Family) and the Zoning designation is R-1 (Residential Single Family), and

WHEREAS, the site is located within Subarea B of the Borkey Area Specific Plan, and

WHEREAS, Planned Development 02-006 has been filed in conjunction with this tentative map to meet the requirements of the Borkey Area Specific Plan, which requires Planning Commission approval of a development plan for projects proposed within the Borkey Area Specific Plan, and

WHEREAS, on April 2, 2002, the City Council acted to approve Specific Plan Amendment 01-002 modifying the design standards for Clubhouse Drive in accordance with Exhibit E, attached hereto and made a part hereof, and

WHEREAS, the conceptual planned development and the tentative subdivision were presented to the Development Review Committee on September 9, 2002, when the Committee favorably recommended the proposed project to the Planning Commission, reserving the opportunity to review final details pertaining to housing design, landscaping, lighting, fencing and other design details of the project prior to issuance of construction permits, and

WHEREAS, a public hearing was conducted by the Planning Commission on September 24, 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, this project is consistent with the framework of the approved Borkey Area Specific Plan (BASP) for which an Environmental Impact Report (and Subsequent Environmental Impact Report for the BASP and Mitigated Negative Declaration prepared for Specific Plan Amendment 99004) was prepared and certified by the City Council and therefore, pursuant to Section 15182 of the State's Guidelines to Implement the California Environmental Act, the project is exempt from additional environmental review, 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, Zoning Ordinance and Borkey Area Specific Plan;
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 provisions of the BASP and the Zoning Ordinance for Planned Developments to review and approve requested modifications of setback requirements as detailed in the Resolution Approving Planned Development 02-006;

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 2457 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.

General Site Specific Conditions Applicable to All Phases

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>
A	Standard Conditions for Subdivisions
B	Tentative Tract Map / Master Plan
C	Tentative Tract Map / Preliminary Grading, Drainage
D	Phasing Plan
E	City Council Adopted Modification for Clubhouse Drive
F1 – F6	Conceptual/Typical Landscaping Plans

3. This Tentative Tract Map 2457 and Planned Development 02-006 authorizes the subdivision of approximately 108 acres into 215 lots, consisting of 210 single family residential lots with a minimum lot size of 5,250 square feet (average lot size of 6,312 square feet); 1-21 acre lot for a public golf course; 2 public open space lots (to be dedicated to the City) of approximately 18 and 20 acres; and 2 private open space lots totaling approximately 18 acres.
4. The maximum number of residential units permitted within this subdivision / development plan shall be 210. Single-family lots shall not be eligible for further

subdivision (with the exception of minor lot line adjustments) or establishment of additional residences/dwelling units.

5. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map, preliminary grading plan, phasing plan, and landscaping improvements (Exhibits A - F, 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.
6. The project shall also comply with all conditions of approval in the resolution granting approval to Planned Development 02-006 and its exhibits.
7. The tract shall be built in nine (9) development phases. The Developer may complete more than one phase with each final map. The greenbelt / pedestrian pathway shall be completed (or bonded for) prior to recordation of a final map which includes Phase VII. The phasing boundaries include necessary public improvements to serve each phase and any proposed changes to the phasing plan as shown in Exhibit D, attached hereto, will require Development Review Committee approval.
8. The Developer shall pay all fees associated with the BASP as administered by the City in accordance with the established schedule for collecting such fees.
9. Prior to recordation of a Final Map for any phase, the following detailed plans for the applicable phase to be finalized shall be submitted for review and approval by the Development Review Committee (DRC):
 - a. Clubhouse Drive parkway landscaping
 - b. Interior Streets (“A,” “B,” “C,” “D,” “E,” “F,” and “G” Streets) Parkway Landscaping
 - c. Landscaping and Fencing for private and public open space lots
 - d. Pedestrian Path
10. The applicant shall implement all mitigation measures resulting from the Borkey Area Specific Plan EIR, Supplemental EIR and Mitigated Negative Declaration for

Specific Plan Amendment 99004. These mitigation measures have been incorporated as project conditions within both the Tentative Tract and Planned Development Resolutions.

11. Prior to final map approval for Phases III, VI, VII and IX, all building setbacks to existing poles and guy lines along the bluff top shall be subject to the review and approval of Pacific Gas and Electric Company.
12. All facilities and residential units shall be connected to City sewer and water facilities and all utilities, including sewer and water mains, shall be extended in Clubhouse Drive to the northern boundary of the subdivision.
13. An Engineer's Cost Estimate shall be provided with the submittal of all improvement plans for public improvements.
14. Handicapped access at all street corners within the development shall be provided.
15. Prior to issuance of certificates of occupancy for any phase, the developer shall provide the City with a mylar copy of the recorded final map for the respective phase.
16. Alley entrances shall maintain minimum turning radii for emergency service vehicles as shown in City Standard A-16.
17. All garages, fronting on alleys shall be set back from the alley a sufficient distance to provide for a minimum twenty-five (25) foot deep paved backup area.
18. Prior to recordation of a final map for Phase 1, the applicant shall provide a drainage acceptance agreement in a form approved by the City Engineer and/or the City Attorney. The agreement shall authorize the discharge of public storm drains from Tract 2457 into the private detention basin on the Golf Course property and shall provide an easement over Subarea F of the BASP, if necessary. This agreement shall be provided prior to the acceptance of any storm drains.
19. Prior to issuance of a grading permit, the applicant / developer shall demonstrate to the satisfaction of the City Engineer that the storm water design is consistent with Federal EPA and Regional Water Quality Control Board goals for storm water discharges to the Salinas River.
20. Prior to approval of a final map for any phase of the subdivision, the applicant shall

provide a recorded avigation easement, in a form approved by the City Attorney, over the entire area within this subdivision.

21. 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 format, for electronic archiving. The applicant may elect to have the City send out the documents for scanning at the applicant's expense.

Air Quality

22. The applicant is encouraged to provide two additional connections to the pedestrian path near the "E" Street and "F" Street cul-de-sacs, if possible.
23. The applicant shall incorporate the following design and operational measures to minimize short-term air emissions. These requirements shall be included on the face of all 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 stockpile areas 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 fast-germinating native grasses 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) in accordance with CVC Section 23114;

- 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 paved roads. Water sweepers with reclaimed water should be used where feasible;
 - j. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
 - k. The applicant shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and land use clearance for finish grading.
 - l. Prior to any demolition activities or removal/relocation of utility pipelines, the applicant shall contact the APCD Enforcement Division for information regarding the requirements of the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP).
24. The applicant shall design and provide for the following long-term air emission mitigations as part of the project design as follows:
- a. When feasible, orient buildings to maximize natural heating and cooling;
 - b. Provide for street tree planting as shown on the attached Exhibits F1-F6;
 - c. Provide for pedestrian and bicycle access within project as shown on the attached Exhibits;
 - d. Utilize outdoor electrical outlets to encourage the use of electric appliances and tools when feasible;
 - e. When feasible, use built-in energy efficient appliances, double-paned windows, and energy efficient interior lighting.

Regional Water Quality Control Board

25. Prior to issuance of any building or grading permits, the Developer shall show evidence of compliance with Regional Water Quality Control Board rules and regulations.

Oak Tree Protection

26. No oak trees are proposed or approved for removal in conjunction with this map and development plan. All oak trees located within and/or adjacent to the project site shall be preserved and protected in accordance with City Ordinance 835 N.S. Any and all mitigation measures identified in any Arborist Report shall be implemented in a manner as prescribed by City staff.

Cultural/Archaeological

27. 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.

Phase 1 – Golf Course

28. Prior to issuance of Certificates of Occupancy for golf course buildings, all conditions of approval for PD 01-018 (pregrading permit) shall be completed.
29. Prior to recordation, or concurrently with recordation, of a final map for Phase 1, the developer shall record, either on the face of the map or by separate document to record concurrently with the final map, a 60 foot right-of-way over North River Road based upon its existing location.
30. Prior to recordation, or concurrently with recordation, of a final map for Phase 1, the developer shall record, either on the face of the map or by separate document to record concurrently with the final map, a 64 foot right-of-way over the entire length of Clubhouse Drive, as it is shown on the tentative map.
31. Prior to recordation, or concurrently with recordation, of a final map for Phase 1, the Developer shall record, either on the face of the map or by separate document to

record concurrently with the final map, an offer of dedication for the two (2) public open space lots (Lots 212 and 213 of the tentative tract map).

32. Prior to issuance of building permits, a final map shall be recorded for Phase 1 of this subdivision, establishing the golf course lot as a legal lot in accordance with PD 01-018 pregrading permit.

Phase II – Community Center

33. Prior to recordation of a final map for Phase II, the relocation of the 27-inch sewer main shall be completed to the satisfaction of the Public Works Department and the City Engineer and all improvements shall be accepted by the City Council.
34. Prior to, or concurrently with, recordation of a final map for Phase II, the applicant shall dedicate a 20-foot Public Service easement over the relocated 27-inch sewer line.
35. Direct sewer laterals shall not be connected to the relocated sewer main.
36. Clubhouse Drive shall be constructed from River Oaks Drive to the northerly boundary of “A” Street in accordance with the approved, modified standard as shown in Exhibit E, attached to this resolution.
37. Street trees shall be provided within the landscaped parkway between Clubhouse Drive and the sidewalk improvements at one (1) tree for each forty (40) feet, or fraction thereof, of public street frontage. Trees may be planted in clusters and shall be planted within the street right of way. Trees shall be selected from the City’s approved street tree list or from the BASP Plant List for Subarea B. Street trees shall be maintained directly by the adjacent private property owner when on private property or indirectly through a Landscaping and Lighting District (when in the parkway).
38. Prior to recordation of the final map which includes Phase II, the Developer shall submit Conditions, Covenants and Restrictions (CC&Rs) for review and approval by City Staff and/or the City Attorney. These CC&Rs shall be recorded concurrent with the final map for Phase II, and shall provide for the following:
 - a. Creation of a Homeowners’ Association.
 - b. Maintenance of all common areas (roads, landscaped areas, common buildings, alleys, alley landscaping, etc.).
 - c. Disclosure to all residents that “The City of El Paso de Robles has determined that the use of real property for agricultural operations is a high priority and favored use to the City, and those inconveniences or discomforts arising from legally established agricultural activities or operations, as defined in Section

21.16J of the Municipal Code or by state law, shall not be or become a nuisance.”

- d. Constructive notice to all future property owners that their lots are in proximity to existing overhead power lines.
- e. Constructive notice to future lot owners that the conditions and stipulations of PD 02-006 govern the density and design standards for this subdivision.
- f. Constructive notice to future lot owners that all lots are subject to an avigation easement for the use of the City’s municipal Airport. It is the City’s intent to continue to operate and expand aircraft operations at the Municipal airport and associated impacts as a result of this operation/expansion are not considered a nuisance.

All Remaining Phases

- 39. Two sources of water must be made available to the subdivision in a design approved by the City Engineer. A second water connection may be necessary from “E” Street to River Oaks Drive as shown on the Tentative Tract Map and as approved by the City Engineer. This connection may be made through the open space parcel if it can be demonstrated that connection through the open space will not be detrimental to native oak trees.
- 40. There shall be no direct sewer lateral connections to the 27-inch sewer main.
- 41. All private alleys and streets shall be constructed to City standards, Borkey Area Specific Plan standards and as approved by the City Engineer.
- 42. Prior to approval of a final map for the final phase (Phase IX) of Tract 2457, the Open Space parcels shall be inspected and accepted by the Emergency Services Department.
- 43. Prior to approval of a final map for Phase VII, as shown on Exhibit D, attached hereto, the Developer shall install and construct the landscaped greenbelt / pedestrian corridor designated by the BASP along the top of the Salinas River bluffs.
- 44. Prior to installation / construction of the greenbelt / pedestrian corridor referred to in Condition 43 above, the Developer shall submit detailed plans to the City for review and approval by the Development Review Committee. These plans shall include the following components:
 - a. A variable width of the greenbelt area of not less than 20 feet at any point with an average width of 30 feet, measured from the top of the bluffs.

- b. A meandering asphalt or concrete pedestrian / bicycle pathway of not less than six (6) feet wide, connected to the sidewalks adjacent to abutting local streets and extending the length of the bluffs in Subarea B.
 - c. Seating areas and facilities at strategic viewpoints.
 - d. Turf, shrubbery and deciduous tree plantings.
 - e. The finished grade of the pathway shall be a minimum of four (4) feet below the finished grade of the rear yard lot line of any adjacent residential lot.
 - f. The pathway shall be located a minimum of eight (8) feet from the rear fence of any adjacent residential lot, but far enough from the top of the bluffs to avoid unstable soil conditions.
 - g. Fences shall be restricted to “transparent” construction along the rear and side lot lines of residential lots facing the bluffs, e.g. wood or concrete split rail, reduced height, etc.
 - h. The bluffs shall be hydroseeded with native plant materials where required for slope stabilization.
 - i. Native plant materials shall be required along the pathway.
 - j. Irrigation of plant materials along the bluff top shall be minimized or avoided altogether.
 - k. The plan shall provide for pedestrian safety lighting along all walkways and the pedestrian path. Lighting standards shall be submitted for City review prior to issuance of a grading permit for the pathway.
45. The Developer may pursue a Specific Plan Amendment modifying the requirement to construct the pedestrian path of asphalt or concrete to leaving the path with a natural surface. If such an amendment receives approval from the City Council, the Developer shall not have to return to the Planning Commission to modify the conditions of this tract map.
46. Lot ZZZ shall be developed as an open space lot for the benefit of the project’s residents.

EMERGENCY SERVICES

47. Prior to the recordation of each final map, the applicant / developer shall submit requested street names for the applicable phase to the Community Development Department for review and approval for the streets within the phase.

48. 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.

PASSED AND ADOPTED THIS 24th Day of September, 2002 by the following Roll Call Vote:

AYES: CALLOWAY, JOHNSON, KEMPER, McCARTHY, WARNKE

NOES:

ABSENT: FERRAVANTI, STEINBECK

ABSTAIN:

CHAIRMAN PRO TEM RALPH McCARTHY

ATTEST:

TINA RYDER, ACTING PLANNING COMMISSION SECRETARY

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