

RESOLUTION NO.: 02-039  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT APPROVAL FOR TENTATIVE TRACT MAP 2469  
(REPUBLIC PROPERTIES)  
APN: 008-092-025

WHEREAS, Tentative Tract 2469 has been filed by EMK & Associates on behalf of Republic Properties, to subdivide an approximate 1.75 acre site into eight (8) condominium lots and one (1) common ownership lot, and

WHEREAS, the proposed subdivision would be located at 344 24<sup>th</sup> Street, 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, the 1.75 acre site has a split zoning, where the General Plan land use designation is RSF (Residential Single Family) and the Zoning is R-1, B-2 for the southern-hillside portion of the site, and

WHEREAS, Planned Development 00-018 Amendment has been filed in conjunction with this tentative map as required by Chapter 21.16A, Planned Development Overlay District, and

WHEREAS, there is no development proposed on the southern-hillside portion of the site, and due to its significant slope, a condition has been placed on the tentative tract map that would require a "no-build" easement be placed over this portion of the site, and

WHEREAS, the southern-hillside portion of the site would be part of proposed Parcel 1, the common area and be maintained by the property owners, and

WHEREAS, Planned Development PD 00-018 and Parcel Map PR 99-070 was approved by the Planning Commission on February 27, 2001, via Resolutions 01-021, 01-022 and 01-023, and

WHEREAS, PD 00-018 and PR 99-070 consisted of subdividing 1.75-acre site into four parcels, where there would be two apartment units located on each parcel for a total of 8 units for the site, and

WHEREAS, Tentative Tract 2469 & PD 00-018 Amendment would replace Resolutions 01-022 and 01-023, Resolution 01-021 would remain in effect, and

WHEREAS, Access to Tract 2469 is proposed through development of a private driveway on an easement across adjacent property, specifically the property to the west, APN 008-092-026, and

WHEREAS, the applicant has submitted a copy of a recorded easement agreement (Instrument No. 2000-047004, of Official Records) between the owners of the properties, and

WHEREAS, the title report prepared by Cuesta Title (802808 dated 1-2-02) references the owner's (Republic Properties, Inc) interest in this easement, reference to this easement has been placed on the Tentative Tract Map, 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 February 27, 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, Tract 2469 & PD 00-018 Amendment went before the Planning Commission on July 9, 2002, where the public hearing was opened and continued to the Planning Commission hearing on July 23, 2002 in order to give staff and the applicant more time to work out specific details, 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 2469 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 00-018 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. This Tentative Tract Map 2469 and Planned Development 00-018 Amendment authorizes the subdivision of an approximate 1.75 acre parcel of multiple family zoned property into eight (8) residential lots with one (1) units per lot for a total of eight (8) units and one common lot (Lot 1).
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 00-018 Amendment detailed plans shall be submitted for review and approval by the Development Review Committee (DRC).
9. Concurrent with map recordation and in a format to be approved by the City Attorney, the developer shall provide constructive notice to future lot owners that the conditions and stipulations of PD 00-018 govern the density and design standards for this subdivision. This notice shall explicitly state that the maximum number of permissible dwelling units per lot shall be one (1), and that there shall be only two points of access from the development to 24<sup>th</sup> Street.
10. A "no-build" easement shall be placed over the R1 zoned portion of the site (southern-slope portion of the site). This area of the site shall be incorporated into common lot (Lot 1) and be maintained by the property owners.
11. 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.
12. The approval of Tract 2469 and PD 00-018 Amendment would revise and replace Resolutions 01-022 & 01-023. Resolution 01-021 establishing Negative Declaration status would remain in effect.

### **ENGINEERING SITE SPECIFIC CONDITIONS**

13. The development of Tract 2469 shall comply with all provisions of the City's Floodplain Management Ordinance, Chapter 21.14.
14. Erosion control measures shall be undertaken throughout construction to reduce water velocity and inhibit soil movement.
15. Prior to issuance of a grading permit, the applicant shall obtain all the required permits from Fish and Game, and other agencies as applicable, to allow work adjacent to or within the seasonal creek.
16. The property owner shall offer to dedicate 2 feet of property frontage along 24<sup>th</sup> Street (minor arterial, 42 foot half width, City Std. A-2).

17. The property owner shall construct half width improvements of 24<sup>th</sup> Street (curb, gutter and sidewalk). The improvements shall join the existing improvements on the west, and shall transition to meet the existing improvements on the east. The improvements shall be completed and accepted by the City Council prior to recordation of the final map. The applicant may post bonds in lieu of completion of improvements in accordance with Standard Condition No. D-2.
18. The existing overhead utility line shall be installed underground.
19. The streetlight hanging from the wooden pole with the overhead wires shall be replaced with a streetlight conforming to current City standards (City Std. U-3).
20. The storm water detention basin proposed for this project shall be designed to be protected from inundation from the 100-year storm flow in Mountain Springs Creek as approved by the City Engineer.
21. Individual sewer and water laterals are to be constructed to the sewer and water mains in 24<sup>th</sup> Street. Individual sewer clean-outs and water meters shall be located at the right of way boundary of 24<sup>th</sup> Street.
22. If necessary, the developer shall obtain any required permits from the Department of Fish and Game and/or the Corps of Engineers for any improvement work adjacent to the creek.
23. The applicant shall enter into a Private Maintenance Agreement for the common driveway, and a reciprocal access shall be noted on the parcel map.

**AIR POLLUTION CONTROL DISTRICT CONDITIONS:**

24. Walls and attic insulation shall be increased beyond Title 24 requirements. The building plans shall include calculations for Title 24 requirements and indicate how additional insulation has been added.
25. Construction traffic shall avoid unpaved roads and use paved roads to access the site when feasible.
26. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
27. Water trucks or sprinklers systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph.
28. 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.

29. All dust control mitigation measures required shall be shown on the grading plans. The contractor shall designate a person to monitor the dust control program and the name and number of such persons shall be provided to the City.

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

AYES: Ferravanti, Steinbeck, Johnson, Calloway, Kemper

NOES: None

ABSENT: Warnke

ABSTAIN: McCarthy

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CHAIRMAN ED STEINBECK

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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