

RESOLUTION NO.: 03-076

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT TENTATIVE MAP APPROVAL FOR  
PARCEL MAP PR 03-0163  
(PAHLER)  
APN: 008-152-014

WHEREAS, Parcel Map PR 03-0163, an application filed by McCarthy Engineering, Inc. on behalf of Joe Pahler, to divide an approximate 21,700 square foot multiple family residential parcel into two (2) individual parcels located at 2245 Vine Street, and

WHEREAS, the subject site is located in the Residential Multiple Family Low Density (RMF-L) land use category and R-2 zoning district, and

WHEREAS, the applicant proposes to create two lots, where Parcel 1 would be 8,807 square feet and Parcel 2 would be 12,239, and

WHEREAS, a single family residence would be located on each lot, and

WHEREAS, the applicants have submitted a conceptual site plan indicating a building envelope for each parcel that would stay out of the critical root zone of each tree (except for the house on lot 2 where it would encroach into the canopy of the oak tree to the south, but given the existing conditions of the lot and based on the Arborist Report there would not be a significant impact on the tree), and

WHEREAS, as determined by the City Engineer, based on the topographical constraints of the property along Vine Street it is not feasible to construct the City Standard A-12, therefore Standard A-3 would be more feasible for the project frontage, and

WHEREAS, the applicant will be required to deposit a fee in the amount of the estimated cost of placing sidewalk for the property frontage along Vine Street, and

WHEREAS, The Development Review Committee reviewed the parcel map and conceptual site plan on October 6, 2003, and recommend approval of the tentative map to the Planning Commission, and

WHEREAS, the proposed parcel map is Categorically Exempt from environmental review per Section 15315 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA), and

WHEREAS, a public hearing was conducted by the Planning Commission on October 14, 2003 to consider facts as presented in the staff report prepared for the tentative parcel map, and to accept public testimony regarding the application, and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings as required by Government Code Sections 66474 and 65457:

1. The proposed tentative parcel map is consistent with the adopted General Plan for the City of El Paso de Robles;
2. 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 land division is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
6. The design of the land division and types of improvements proposed are not likely to cause serious public health problems;
7. The design of the land division 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 waiver of the installation of sidewalk would seem acceptable based on the topographic constraints of the site along Vine Street;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby grant tentative map approval for Parcel Map PR 03-0163 subject to the following conditions of approval:

STANDARD CONDITIONS OF APPROVAL:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution.

SITE SPECIFIC CONDITIONS OF APPROVAL:

NOTE: In the event of conflict or duplication between standard and site specific conditions, the site specific condition shall supersede the standard condition.

PLANNING

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

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
B	Tentative Parcel Map PR 03-0163
C	Preliminary Grading and Drainage Plan
D	Slope and Tree Index

3. Prior to recordation of the parcel map, the applicant shall either underground any existing overhead utilities adjacent to the property located in the alley or enter into an agreement not to protest the future formation of an Assessment District to underground the overhead utilities. The form shall be in a manner to be reviewed and approved by the City Attorney and/or City Engineer.
4. Prior to issuance of a building permit for Parcel 2, the applicant shall submit site plans, landscaping plans, elevations and a materials and color board for review and approval by the Development Review Committee, in accordance with the requirements of Chapter 21.16I of the City’s Municipal Code.
5. Given the driveway and alley width constraints and the requirement to construct homes out of the oak tree critical root zone, 1 dwelling unit is allowed on each of the parcels.
6. 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.
7. As described in the Arborist Report prepared by the Davey Resource Group, care needs to be taken to protect the Critical Root Zone (CRZ) of the Oak Trees. The following measures shall be taken when within the CRZ of an Oak Tree; avoidance of grade changes, drainage patterns and installation of irrigation.

8. As described in the Arborist Report prepared by the Davey Resource Group, the following actions shall be implemented (please note that since the Arborist Report was drafted, the project has been redesigned to stay out of the CRZ of any trees except for Tree #14, per the City of Paso Robles Oak Tree Ordinance relating to creation of new subdivisions. See the revised site plan dated October 2, 2003, attached as Exhibit B):
  - a. Install tree protection fencing four feet outside of the footprint of the northern building along the north and east sides. See site plan in Arborist Report.
  - b. Under the supervision of the Arborist, hand excavate a perimeter line for all encroachments within the Critical Root Zone as identified by the Site Plan. Prune all roots encountered in accordance with International Society of Arboriculture (ISA) Guidelines, ANSI Standards and the City of Paso Robles requirements should the need for pruning occur.
  - c. Use river sand and/or structural soil and a pervious paving surface or interlocking pavers for the portion of driveway beneath the exiting canopy of Tree #14.
  - d. Consider removal of poor condition trees and replanting with like species as space on the site allows. (Any oak tree removals would have to be approved by the City Council)

#### ENGINEERING

9. Prior to final map approval, the subdivider shall construct curb and gutter on Vine Street along the frontage of the property in accordance with City Collector Standard A-3.
10. Prior to the final map approval the subdivider shall pay an in-lieu fee of \$2,276 for the waiver of the sidewalk along the Vine Street frontage.
11. At the time of development of either parcel, the alley along the west boundary of the subdivision shall be improved in accordance with City Standard A-17. The alley improvements shall be limited at the north end of the property frontage in accordance with the recommendations of an arborist.
12. Prior to recordation of the final map, the applicant shall enter into an agreement not to protest the formation of an assessment district for relocation of all overhead utilities underground. All utility lines for the new homes would be required to be placed underground.

13. At the time of development of either parcel, a fire hydrant shall be placed on Vine Street near 23<sup>rd</sup> Street or near the north boundary of the subdivision.
14. Prior to final map approval, the subdivider shall construct an eight-inch sewer line in the 16-foot access easement from the alley to Vine Street. The arborist shall be involved to insure installation techniques are performed in a manner that best reduces impacts to the existing oak tree.

PASSED AND ADOPTED THIS 14<sup>th</sup> day of October, 2003 by the following Roll Call Vote:

AYES: Flynn, Steinbeck, Ferravanti, Kemper, Johnson, Warnke

NOES: None

ABSENT: Calloway

ABSTAIN: None

---

CHAIRMAN, RON JOHNSON

ATTEST:

---

ROBERT A. LATA, SECRETARY OF THE PLANNING COMMISSION

H:\darren\PMaps\PR03-0163\Pahler\Map Reso