

RESOLUTION NO.: 04-006
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING PLANNED DEVELOPMENT 03-011
(RUNNELLS/WILSON)
APN: 009-252-018, 019, 020, 021, 022

WHEREAS, Planned Development 03-011 has been filed by Rand Salke on behalf of Richard Runnells and Brian Wilson to construct five single-family homes on five existing hillside lots; and

WHEREAS, the General Plan land use designation of the subject lots is RMF-L (Residential Multiple-Family, Low) and they are located in the R2 (Duplex/Triplex) Zoning District; and

WHEREAS, the applicant is seeking authorization to develop the project using modified grading and development standards per Sections 21.16I.040C and 21.16I.100 of the City's Zoning Ordinance, based on the following:

- Compliance with the grading limitations and development standards, including restrictions against pad grading on property in the hillside development district, is physically infeasible for any reasonable type of development of the subject property;
- Development of the subject property in accordance with the modified standards will not create a physical hazard nor will it create a negative visual impact when a graded slope or retaining wall is viewed from a street or neighboring property.

and;

WHEREAS, the applicants are requesting to use the PD Overlay for the following setback reductions:

- a. to allow for the garage door of the house on Lot 5 to be built within 5-feet of the front property line;
- b. to allow for the 1-foot encroachment of an architectural feature on the south facing elevation of the house on Lot 1 to encroach into the 10-foot street side yard setback;

and;

WHEREAS, at its February 10, 2004 meeting, the Planning Commission held a duly noticed public hearing on the project, to accept public testimony on the proposal including Planned Development 03-011 and related applications; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed Project qualifies for adoption of a Negative Declaration; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

1. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16A (Planned Development Overlay District Regulations) as follows:
 - A. The granting of the Planned Development (PD) will not adversely affect the policies, spirit and intent of the General Plan, the Zoning Ordinance, and the policies and plans of the City.
 - B. The Project maintains and enhances the significant natural resources on the site. This has been accomplished through the use of extensive landscaping, and establishment of enhanced architecture.
 - C. The Project is designed to be sensitive to, and blend in with, the character of the site and surrounding area. This has been accomplished through the use of extensive landscaping, and establishment of enhanced architecture.
 - D. The Project is consistent with the purpose and intent of the Planned Development Chapters of the Zoning Ordinance and the Project is not contrary to the public health, safety and welfare.
 - E. The reductions in the front setback for Lot 5 is necessary to reduce the amount of grading necessary to construct the house and the street side yard setback encroachment for the house on Lot 1 is necessary to allow the construction of an architectural feature to enhance the views from the south elevation.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 03-011, subject to the following conditions:

STANDARD CONDITIONS:

1. The Project shall comply with the checked standard Conditions of Approval, attached hereto as Exhibit A and incorporated by reference herein.

PLANNING 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.

2. The Project shall be constructed in substantial conformance with the Conditions of Approval established by this Resolution and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBIT	DESCRIPTION
A	Standard Conditions of Approval
B	Site Plan
C	Preliminary Grading and Drainage Plan
D	Preliminary Landscaping Plan
E	Preliminary Floor Plans for Lot 1
F	Preliminary Architectural Elevations for Lot 1

- G Preliminary Floor Plans for Lot 2 and 4
- H Preliminary Architectural Elevations for Lots 2 and 4
- I Preliminary Floor Plans for Lot 3
- J Preliminary Architectural Elevations for Lot 3
- K Preliminary Floor Plans for Lot 5
- L Preliminary Architectural Elevations for Lot 5
- H Color and Materials Board (on file in the Community Development Dept.)

3. This Development Plan for PD 03-011, allows for development of five single-family homes, one on each lot and the grading necessary to construct the homes in a stepped, multi-level manor. The Development Plan also establishes the architectural character of each home and the front yard and hillside landscaping.

4. The setbacks for the houses on the subject lots shall be as follows:

- Front to house: 15-feet
- Front to Garage Door: 20-feet
- Interior Sides: 5-feet
- Street Side Yard: 10-feet
- Rear: 20-feet

Exceptions as follows:

- a. the garage door for the house on Lot 5 can be as close as 5-feet to the front property line, adjacent to the alley.
 - b. the architectural feature on the south facing elevation of the house on Lot 1 can encroach 1-foot into the 10-foot street side yard setback.
5. Prior to issuance of a grading permit, the following notes shall be added to the plans:
- a. The major site grading and disturbance is confined to Spring, Summer and Fall (April through October) to avoid exposure to winter storm periods (November through March).
 - b. The site grading is to be in substantial conformance with the graphic representation and site sections provided.
 - c. Disturbed areas will be replanted with appropriate ground cover and/or erosion control mix immediately following grading so as to stabilize the site and prevent erosion. Other erosion control measures (such as siltation fences, mulching and hydro seeding) may be required by the City as part of the Conditions attached to the grading permit.
 - d. Any existing Oak trees located on the project site shall be protected and preserved as required in City's Oak Tree Preservation Ordinance No. 835 N.S, as codified in Chapter 10.01 - Oak Tree Preservation of the Municipal Code, unless specifically authorized by the City Council to be removed.
 - e. If, during site preparation, archeological resources are discovered, all work in the area shall stop and the Planning Division shall be notified. An assessment, including specific mitigation measures, shall be prepared by a qualified individual/consultant, at the applicant's

expense, and submitted to the City for review and approval. The recommended mitigation measures shall be followed prior to resuming work in the area.

- f. The foundations and structural design of the buildings shall be consistent with the Uniform Building Code in order to address potential exposure to soils/geologic conditions and seismic hazards.
6. Temporary construction noise levels in excess of 60 dBLdn shall be restricted to the daylight hours of 7am to 6pm. Noise levels shall be measured or monitored from site boundaries or the nearest adjoining residential use to determine compliance.

ENGINEERING SITE SPECIFIC CONDITIONS:

7. Prior to occupancy of any building, the applicant shall construct full street improvements on Olive Drive in accordance with the Olive Drive Standard adopted by City Council. The existing paving section must meet standards for a local street based on the "R" value of the native soil and a Traffic Index of 5, or the existing paving must be removed and reconstructed.
8. Prior to occupancy of any building, the applicant shall construct curb, gutter, sidewalk and paving on 4th Street in accordance with City Local Standard A-5 and in accordance with plans approved by the City Engineer; or the applicant will deposit funds with the City in the amount of a cost estimate approved by the City Engineer for that portion of the 4th Street frontage that cannot be improved due to topographic constraints.
9. Prior to occupancy of any building, the applicant shall extend an 8-inch sewer line in Olive Drive as needed to serve the units in the project and as approved by the City Engineer.
10. Prior to occupancy of any building, the applicant shall place a permanent street light at the intersection of 4th Street and Olive Drive and another along the frontage of the project as approved by the City Engineer.
11. Prior to occupancy of any building, the applicant shall enter an agreement not to protest the formation of an assessment district to relocate overhead utilities underground.

AIR POLLUTION CONDITIONS:

12. The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in section 6.4 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:
 - a. Reduce the amount of the disturbed area where possible.
 - b. 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.
 - c. All dirt stockpile areas should be sprayed daily as needed.

- d. 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.
 - e. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
 - f. 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 APCD.
 - g. 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.
 - h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - i. 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.
 - j. 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
13. Consider including the following design features to improve energy efficiency and to reduce the dependency of the automobile:
- Improve the energy efficiency rating of homes by 10 percent beyond what is required by Title 24, using dual-pane glass and energy efficient appliances, and using strategic tree planting and reflective roofing materials to minimize summertime cooling needs.
 - Build the new homes with flexibility in the internal wiring/cablings to allow telecommuting, teleconferencing, and telelearning to occur simultaneously in at least 3 locations in the home. This will provide the opportunity for trip reduction benefits.

PASSED AND ADOPTED THIS 10th day of February, 2004 by the following Roll Call Vote:

AYES: Johnson, Ferravanti, Mattke, Kemper, Flynn, Steinbeck
 NOES: None
 ABSENT: Hamon
 ABSTAIN: None

CHAIRMAN TOM FLYNN

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY