

RESOLUTION NO.: 04-020

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
TRACT 2521
(BERTONI)

APN: 008-431-002

WHEREAS, Tract 2521, an application filed by EMK and Associates on behalf of John and June Bertoni, to divide two parcels of approximately 12.4 acres site into nine (9) individual lots located at 75 21st Street; and

WHEREAS, in conjunction with Tract 2521, the applicant submitted an application for Planned Development PD 04-001, to establish guidelines for the construction of the homes for the lots; and

WHEREAS, the subject site is located in the RSF-1 land use category and R-1,B4 zoning district; and

WHEREAS, the applicant proposes to create nine lots, where each lot would be greater than one acre; and

WHEREAS, the proposed map would be consistent with Table 21.16E.090, Minimum Lot Size per Zoning District, where the minimum lot size is one acre; and

WHEREAS, the two existing houses would remain and be located on newly created Lots 3 and 8; and

WHEREAS, all lots, with the exception of Lot 7 which is accessed from 21st Street, would be accessed from a new paved cul-de-sac street; and

WHEREAS, an Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) and a Negative Declaration was approved by the Planning Commission on February 24, 2004, and

WHEREAS, a public hearing was conducted by the Planning Commission on February 24, 2004 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;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby grant tentative map approval for Tentative Tract 2521 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.
2. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 00-021 and its exhibits.

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.

3. 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 Tract 2521
C	Grading and Drainage Plan
D	Conceptual Building Sites

4. Prior to issuance of a building permit for any lot, the applicant shall submit site plans, landscaping plans, elevations and a materials and color board for review and approval by the Staff.
5. Future development of each lot shall comply with all of the rules and regulations within Chapter 21.16E, R-1 District Regulations, of the Zoning Code.
6. Pursuant to submittal requirements and Standard Condition B-1 of Attachment A, prior to the recordation of the final tract map, 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. The final Parcel Map shall include a variable width offer of dedication of public right-of-way on 21st Street as approved by the City Engineer and additional 6-foot public utilities easements along the frontage of all new right-of-ways.
8. Prior to recordation of the final tract map, curb, gutter and sidewalk shall be constructed on 21st Street in accordance with City Hillside Street Standard A-9.
9. Prior to recordation of the final tract map, the subdivider shall extend a sanitary sewer main in 21st Street from the end of the existing sewer main west of Olive Street to Tract

2521. The applicant may apply to City Council for reimbursement of the cost of construction of the sewer main beyond his fair share.

10. Prior to recordation of the final map, the new cul-de-sac street within Tract 2521 shall be constructed in accordance with City Hillside Street Standard A-8.
11. Prior to recordation of the final map, storm drain culverts shall be constructed across 21st Street west of Villa Lane in accordance with plans on file in the office of the City Engineer. The applicant may apply to City Council for reimbursement of the cost of construction of the culverts beyond his fair share.
12. Each lot within the subdivision including the two existing houses shall hook up to City Sewer.
13. 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.
14. 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.

PASSED AND ADOPTED THIS 24th day of February, 2004 by the following Roll Call Vote:

AYES: Mattke, Kemper, Steinbeck, Flynn, Johnson, Ferravanti, Hamon

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN, TOM FLYNN

ATTEST:

ROBERT A. LATA, SECRETARY OF THE PLANNING COMMISSION