

RESOLUTION NO.: 04-034

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
TRACT 2358
(PETERSON-FRANKLIN)
APN: 009-641-020,021

WHEREAS, Tract 2358, an application filed by Wilson Land Surveys on behalf of Robert and Joan Peterson and Harry and Karen Franklin, to divide two parcels of approximately 2.87 acres site into seven (7) individual lots located at 723 Rolling Hills Road; and

WHEREAS, in conjunction with Tract 2358, the applicant submitted an application for Rezone 03-009, to establish Planned Development Overlay zoning over the site; and

WHEREAS, with PD Overlay zoning (PD 04-004), the applicant is requesting the Planning Commission allow the reduction of the street side yard setbacks for the two existing homes in relation to the new street be 5-feet; and

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

WHEREAS, the applicant proposes to create seven lots, ranging in size from 9,545 square feet to 39,445 square feet; and

WHEREAS, the two existing houses would remain and be located on newly created Lots 1 and 7; and

WHEREAS, all lots, with the exception of Lots 1 and 7 which is accessed from Rolling Hills Road, 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 March 23, 2004, and

WHEREAS, a public hearing was conducted by the Planning Commission on March 23, 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 2358 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 04-004 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>
A	Standard Conditions of Approval
B	Tentative Tract 2358

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. With the approval of Tract 2358 in conjunction with Rezone 03-009 and PD 04-004 side yard setbacks can be reduced to a minimum of 5-feet on each side for one story homes, including the street side yard setbacks for the existing houses on Lots 1 and 7. Two-story homes shall have a 10-foot setback to a full two story wall. If the elevation of the house adjacent to the side property line is not a two story wall (a single story wall), it may have a side yard setback of 5-feet. All other setbacks shall comply with Section 21.16E, R-1 District Regulations of the Zoning Code.
7. No equipment such as air conditioning condensers shall be placed in the 5-foot setback areas. The 5-foot side yard areas shall be kept obstruction free.
8. Fencing installed in the street side yard for Lots 1 and 7 shall be setback a minimum of 10-feet (or at least no closer than the corner of the house) from the property line located adjacent to “Tranquil Hills” Street. The area between the fence and the back of the curb will need to be landscaped and maintained by the property owner. Fencing plans need to be submitted for City Staff review prior to installation.
9. The fencing for Lots 3-6 shall provide for gates to allow the City to access the sewer man holes.
10. 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.
11. The Final Map shall include a 12 foot offer of dedication of public right-of-way on Rolling Hills Road as approved by the City Engineer and additional 6-foot public utilities easements along the frontage of all new right-of-ways.
12. Prior to recordation of the final tract map, improvements shall be constructed on Rolling Hills Road in accordance with plans approved by the City Engineer. The plans shall include pavement widening sufficient to allow for a center turning lane across the frontage of the tract.

13. Prior to recordation of the final tract map, the subdivider shall relocate the existing sanitary sewer main along the west boundary of the property in accordance with plans approved by the City Engineer.
14. Prior to recordation of the final map, the new cul-de-sac street within Tract 2358 shall be constructed in accordance with the City Orchard Bungalow Street Standard.
15. 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 23rd day of March, 2004 by the following Roll Call Vote:

AYES: Steinbeck, Ferravanti, Kemper, Matke

NOES: Johnson, Hamon, Flynn

ABSENT: None

ABSTAIN: None

CHAIRMAN, TOM FLYNN

ATTEST:

ROBERT A. LATA, SECRETARY OF THE PLANNING COMMISSION

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