

RESOLUTION NO.: 04-035
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT APPROVAL FOR PLANNED DEVELOPMENT 04-004
(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 side yard setbacks to 5-feet for Lot 5 and, 6 and Lots 1 and 7 (existing homes) for the street side yard setback in relation to the new street; 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, a public hearing was conducted by the Planning Commission on February 24, 2004, 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, 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, based upon the facts and analysis presented in the staff reports, 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 this permit will not adversely affect the policies, spirit and intent on the general plan, applicable specific plans, the zoning code, policies and plans of the City;
 - b. The proposed project is designed to be sensitive to, and blend in with, the character of the site and surrounding area;
 - c. The proposed project's design and density of developed portion of the site is compatible with surrounding development and does not create a disharmonious or disruptive element to the surrounding area;
 - d. The development would be consistent with the purpose and intent of this chapter and would not be contrary to the public health, safety and welfare;
 - e. That the proposed 5-foot side yard setbacks for one story homes and for two-story homes that do not have full two story tall walls, would be acceptable for these lots including the two existing homes;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby approve Planned Development 04-004 subject to the following conditions:

STANDARD CONDITIONS:

1. The project shall comply with all conditions of approval contained in the resolution granting approval to Tentative Tract 2521, Rezone 03-009 and the associated exhibits.

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 so as to substantially conform to the following listed exhibits and conditions established by this resolution:

EXHIBIT	DESCRIPTION
A	Tentative Map

3. PD 04-004 is not valid until Rezone 03-009 has been adopted by the City Council.

4. This Planned Development 04-004 coincides with Tentative Tract Map 2358 and authorizes the subdivision of approximately 2.87-acres into 7 single family residential lots, for the construction of a maximum of 1-dwelling unit per lot. PD 04-004 would allow the 5-foot side yard setbacks for one story homes including the existing homes on Lots 1 and 7. Two story homes shall have 10-foot side yard setbacks, unless the side wall is a one-story height adjacent to the side property lines, where they can be reduced to 5-feet.
5. In conjunction with the review of the Building Permits for each lot, Staff shall review the following final details:
 - a. Final Grading Plan for conformance with Section 21.16E
 - b. Slope Landscape Plan for conformance with Section 21.16E
 - c. Front Yard Landscaping
 - d. Fencing Plan
 - e. Color/Material Boards

PASSED AND ADOPTED THIS 23rd day of March, 2004 by the following Roll Call Vote:

AYES: Steinbeck, Ferravanti, Kemper, Mattke

NOES: Johnson, Hamon, Flynn

ABSENT: None

ABSTAIN: None

CHAIRMAN TOM FLYNN

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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