

RESOLUTION NO.: 04-038

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
TRACT 2593
(CHARTER PACIFIC GROUP, INC.)
APN: 009-511-016

WHEREAS, Tract 2593, an application filed by Vaughan Surveys on behalf of Charter Pacific Group, Inc., to divide a 23.3 acre parcel into fifty-five (55) single-family residential lots; and

WHEREAS, Tract 2593 is located at the terminus of Red Cloud Road and Navajo Avenue; and

WHEREAS, in conjunction with Tract 2593, the applicant submitted an application for Rezone 03-008, to establish Planned Development Overlay zoning over the site; and

WHEREAS, with PD Overlay zoning (PD 03-019), the applicant is requesting the Planning Commission allow for reduced lot sizes in order to reduce the amount of grading necessary to construct the development as well as reduce the impacts to oak trees; and

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

WHEREAS, an Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) and a Mitigated 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 tract 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 2593 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 03-019 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.

COMMUNITY DEVELOPMENT 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.

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

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Standard Conditions
B	Tentative Tract Map
C	Site Plan / Topographic Map
D	Preliminary Grading and Drainage
E	Preliminary Grading and Drainage
F	Preliminary Grading and Drainage – Cross Sections
G	Preliminary Grading and Drainage – Cross Sections
H	Preliminary Utility Plan
I	Slope Analysis Map
J	Air Pollution Control District Conditions
K	Arborist Conditions
I	Biological Conditions

4. This Tentative Tract Map 2593 coincides with Rezone 03-008 and Planned Development 03-019 and authorizes the subdivision of approximately 23.3-acres site into a maximum of 55 single family residential lots ranging from approximately 7,234 square feet to 33,494 square feet in size.
5. The maximum number of residential lots permitted within this subdivision/development plan shall be 55. No lots shall be eligible for further subdivision (with the exception of minor lot line adjustments).
6. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map and preliminary grading plan (Exhibits B - H, reductions attached; full size copies are on file in the Community Development Department) and as amended by site specific and standard conditions contained in this resolution.
7. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 03-019 and its exhibits.
8. Grading of the tract shall be consistent with Hillside Grading Regulations. No pad or mass grading is allowed for this subdivision except for lots that have a natural slope of less than 10-percent, as approved by the Development Review Committee.
9. In conjunction with the development of the final map, the slope area at the rear of lots 32, 33 and 34, and any other areas where there is slope area adjacent to the street shall be included within the Landscape and Lighting District as determined necessary by City Staff.
10. Lots 1-7, 40 and 23 shall be limited to one-story homes.

Engineering Site Specific Conditions

11. All new streets shall be constructed in accordance with City Hillside Standard A-8.
12. An 8-inch water main shall be extended to the west to tie in to the existing 8-inch water main in South River Road.
13. An 8-inch sewer line shall be extended to the west to tie in to the existing 21-inch sewer line in South River Road. A sewer access road shall be constructed along the route for maintenance purposes.
14. The subdivider shall record covenants on all lots in Tract 2593 notifying buyers of lots of the limitations of the design of homes resulting from the Hillside Grading Ordinance and the Oak Tree Preservation Ordinance.
15. All drainage from improvements in Tract 2593 shall be detained. No parkway landscape irrigation runoff will be discharged into the natural drainage course north of the subdivision.
16. Navajo Avenue shall terminate in a cul-de-sac per City Standard A-18.
17. There are existing overhead utilities serving the older homes along the north boundary of the subdivision. These lines will not be used to serve the new subdivision. It is not feasible to relocate these existing lines underground since they are all equipped with overhead services to the older homes.
18. Any property west of South River Road, that has not already been dedicated to the City, shall be dedicated with the recordation of Tract 2593.

Environmental Mitigation Measures

Air Quality

19. See attached Exhibit J, letter dated January 7, 2004 for APCD Conditions.

Oak Tree Protection

20. All mitigation measures identified in Exhibit K, the Arborist Report performed by Pacific Horticulture, Don Rodrigues, Arborist, dated November 17, 2003 shall be fully implemented.
21. The mitigation measures/methods must be fully understood and followed by anyone working within the Critical Root Zone of any oak tree.

22. Prior to the issuance of a grading permit, the applicant shall hire the Arborist to be part of the Pre-Construction Meeting. The arborist shall review the grading plans and acknowledge in writing to the City Engineer/City Planner that the proper mitigations and measures have been designed into the plans. The standard protection measures shall be listed on the grading plans.
23. Prior to or in conjunction with the Final Subdivision Map, for the lots that have oak trees, a constructive notice shall be recorded in a form acceptable to the City indicating to future property owners that all the oak trees shall be preserved, and that all construction shall stay out of the oak tree critical root zone. The notice shall also include language indicating that homes shall be designed to be constructed within the building envelopes identified on the Tentative Tract Map (attached as Exhibit C). and that all development for residential lots will need to conform to the City's Oak Tree Ordinance.
24. Prior to the issuance of the Final Subdivision Map, for all lots within the subdivision, a constructive notice shall be recorded that identifies future builders/property owners that Planned Development PD 03-019 has been adopted for the subdivision which establishes home construction types and architecture, stepped home construction to minimize grading (no pad or mass grading is allowed for this subdivision except for lots that have a natural slope of less than 10-percent as approved by the Development Review Committee).

Biological & Wildlife

25. All mitigation measures as described in Exhibit L, the Biological Assessment prepared by Morro Group, Inc. on October 24, 2003.

Cultural/Archeological

26. In the event that buried or otherwise hidden resources are discovered during construction work in the area of the find, work should be temporarily suspended and the City of Paso Robles should be contacted immediately, and appropriate mitigations measures shall be developed by qualified archeologist or historian if necessary, at the developers expense.
27. 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: Johnson, Ferravanti, Mattke, Kemper, Steinbeck, Flynn, Hamon

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN, TOM FLYNN

ATTEST:

ROBERT A. LATA, SECRETARY OF THE PLANNING COMMISSION

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