

RESOLUTION NO. 04-063

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
PARCEL MAP PR 04-021
(BENNETT)**

APN: 009-131-046

WHEREAS, Parcel Map PR 04-0021, an application filed by EMK & Associates on behalf of Tom and Marilyn Bennett, to divide an approximate 2-acre single family residential parcel into two (2) individual parcels located on Cherry Street, just south of Hilltop Drive, and

WHEREAS, the subject site is located in the Residential Single Family (RSF) land use category and R-1 zoning district, and

WHEREAS, the applicant proposes to create two lots, where each Parcel is approximately 1-acre in size, and

WHEREAS, a house currently exists on Parcel 1 and will remain, a new house would be constructed on Proposed Parcel 2, and

WHEREAS, the proposed map would be consistent with Section 21.16E.090, minimum lot size for single family residential development, and

WHEREAS, the proposed parcel map is Categorically Exempt from environmental review per Section 15315 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA), and

WHEREAS, the Development Review Committee reviewed the Tentative Parcel Map on April 26, 2004 and recommended approval of the Tentative Parcel Map to Planning Commission, and

WHEREAS, the open public hearing was conducted by the Planning Commission on May 25, 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 Parcel Map PR 04-021 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.

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.

PLANNING

2. 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>
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B	Tentative Parcel Map PR 04-021
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3. Pursuant to submittal requirements and Standard Condition B-1 of Attachment A, prior to occupancy 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.
4. Prior to the issuance of a building permit for Parcel 2, site plans, architectural elevations and landscaping plans shall be reviewed by the Development Review Committee.
5. The swimming pool, pool house, shop, gazebo and other out-buildings located on proposed Parcel 2 are accessor to the existing house and are not are not permitted as a primary use on a parcel. After the final map has been recorded, a home shall be constructed on Parcel 2 or the pool/structures need to be removed be removed within 2-years.
6. Prior to the issuance of a grading permit, an Arborist Report will need to be submitted if the driveway for Parcel 2 encroaches into the Critircal Root Zone of oak trees.
7. The house for Parcel 2 will need to be constructed out of the critical root zone as shown on the tentative parcel map, Exhibit B of this resolution.

ENGINEERING

8. Prior to occupancy of a new residence on Parcel 2, Cherry Street shall, to the extent allowed by the limitations of the esiting oak trees and street easements, be improved along the entire frontage of the subdivision (Parcels 1 and 2) to 24-foot wide paving with asphalt curb on the east side, in accordance with the Blackburn Area Study.
9. Prior to occupancy of a new residence on Parcel 2, the 8-inch water main currently termintating in front of Parcel 1, shall be extended to the south boundary of the subdivision. Existing water services to properties to the south shall be relocated to adjoin the southern terminus of the 8-inch water main.
10. Prior to the occupancy of a new residence on Parcel 2, overhead utilities to the existing residence shall be relocated underground. Underground utilities will serve a new

residence on Parcel 2. The applicant shall enter into an agreement not to protest the formation of an assessment district to underground existing overhead utilities in the block.

11. The final parcel map shall include any necessary utility easements, including an easements for reasonable access to City sewer.

PASSED AND ADOPTED THIS 25th day of May, 2004 by the following Roll Call Vote:

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

NOES: None

ABSENT: Mattke

ABSTAIN: None

CHAIRMAN, TOM FLYNN

ATTEST:

ROBERT A. LATA, SECRETARY OF THE PLANNING COMMISSION

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