

RESOLUTION NO.: 04-096
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR PR 03-0340
(PAHLER)

APN: 009-750-010

WHEREAS, Tentative Parcel Map PR 03-0340 has been filed by McCarthy Engineering on behalf of Joe Pahler to subdivide an approximate 2.5 acre site into four lots for three new single family dwelling and one existing single family dwelling at 725 Oriole Way; and

WHEREAS, this parcel is located within a planned development (PD) zoning overlay district and this application is located within the geographic area covered by a master development PD 91002 / 91003, and

WHEREAS, subdivision of this property requires an amendment to Planned Development PD 91002 / 91003; and

WHEREAS, the amendment to the planned development that is filed in conjunction with this tentative map is requesting a reduction to the required 100-foot minimum lot width contained in the Zoning Ordinance for B-3 properties (Parcel 4 only); and

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

WHEREAS, a public hearing was conducted by the Planning Commission on August 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 master plan amendment; and,

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions of approval listed below, the Planning Commission makes the following findings as required by Government Code Section 66474:

1. As conditioned, the proposed tentative subdivision map is consistent with the adopted General Plan for the City of El Paso de Robles; and
2. As conditioned, the design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan and Zoning Ordinance; and

3. The site is physically suitable for the type of development proposed; and
4. The site is physically suitable for the proposed density of development; and
5. The design of the subdivision is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat; and
6. The design of the subdivision and types of improvements proposed are not likely to cause serious public health problems; and
7. The design of the subdivision 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; and
8. The completion of Site Specific Conditions 8, 9, 10, 11, and 12 prior to recordation of the final map is a necessary prerequisite to the orderly development of the surrounding area.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby grant tentative map approval to PR 03-0340 subject to the following conditions of this resolution:

STANDARD CONDITIONS:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution. Note: All checked standard conditions shall apply unless superseded by a site specific 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.

2. 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>
B	Tentative Tract Map
C	Preliminary Grading, Drainage, and Development Site Plan
D	Tree and Floodway Map

3. This Tentative Parcel Map PR 03-0340 and Planned Development Amendment authorizes the subdivision of approximately 2.5 acres into 4 single family residential lots ranging in size from approximately 20,000 square feet to 36,000 square feet.
4. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map and preliminary grading plan prepared for the project. (Exhibits B-D reductions attached; full size copies are on file in the Community Development Department).
5. All recommendations included in the arborist report prepared by Arbor Tree Surgery dated September 17, 2003 shall be followed before, during, and after construction activities, including but not limited to the following:
 - a. An on-site pre-construction meeting with the Arborist(s), Owner, Planning Staff, and Grading Contractor will be required to prior to the commencement of any construction on the project site.
 - b. Tree protection shall be in place and inspected by the project arborist prior to commencement of construction activities
 - c. A copy of the arborist report shall be provided to all Contractors working on the project site. Each contractor shall sign an agreement acknowledging that they will follow the recommendations included in the arborist report.
 - d. The project arborist shall be on site to monitor all grading/trenching activities that encroach within the dripline of the oak trees.
 - e. Prior to recordation of the final map and/or prior to the final inspection of on-site improvements (paved access, utility lines) the arborist shall submit a final report verifying that construction activities were performed in compliance with the arborist report.
 - f. Prior to final occupancy the arborist shall submit a final report verifying that construction activities were performed in compliance with the arborist report. The report shall also verify the health/condition of all impacted trees and provide any recommendation for additional mitigation.
6. All portions of the driveway that are within the CRZ of the existing oak trees shall be constructed with pervious pavers. Future development on all parcels shall be located outside of the CRZ of the existing oak trees.
7. Prior to issuance of on-site improvement plans, the applicant will be required to obtain all necessary permits from the Army Corp of Engineers, the Department of Fish and Game, and the U.S. Fish and Wildlife Service for the installation of the box culvert within the intermittent streambed.
8. 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 Parcel Map (attached as Exhibit B). and that all development for residential lots will need to conform to the City's Oak Tree Ordinance.

ENGINEERING SITE SPECIFIC CONDITIONS

The Planning Commission must make a finding that the fulfillment of the construction requirements outlined in Condition Nos. 8, 9, 10, 11 and 12 are necessary prerequisites to the orderly development of the surrounding area.

9. Prior to recordation of the final parcel map, street improvements shall be constructed to complete the cul-de-sac on Larkfield Place in accordance with City Standard A-18. A new concrete driveway approach shall be constructed in accordance with City Standard B-12.
10. Prior to recordation of the final map, water services shall be extended beyond the Larkfield Place street improvements to the frontage of the subdivision.
11. Prior to recordation of the final parcel map, the existing overhead utility lines located adjacent to the south boundary of the property shall be relocated underground.
12. Prior to recordation of the final map, the subdivider shall connect the existing house to City water and shall abandon the existing well in accordance with the standards and requirements of the County Health Department and the City Municipal Code.
13. Prior to the recordation of the final map, the subdivider shall connect the existing house to City sewer and shall abandon the existing septic tank and leach field in accordance with the standards and requirements of the County Health Department and the City Municipal Code.
14. Prior to occupancy of homes on parcels in this subdivision, sewer reimbursement connection fees must be paid for the Meadowlark and River Road sewers.
15. The area within the 100-year flood limits shall be dedicated to the City for maintenance by the Landscape and Lighting District.

EMERGENCY SERVICES SITE SPECIFIC CONDITIONS

16. The future residence on Parcels 1, 2, and 4 will be required to be equipped with residential fire sprinklers.
17. Emergency Services Run Book will need to be updated with the new lots, addresses

and any new fire hydrants. Contact Emergency Services Fire Marshal Bob Adams at 237-3973 for information on this condition.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN TOM FLYNN

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY