

RESOLUTION NO.: 04-109

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
PARCEL MAP PR 04-0311
(EWENS)

APN: 008-081-003

WHEREAS, Parcel Map PR 04-0311, an application filed by Twin Cities Surveying on behalf of Rick Ewens, to divide an approximate 5,698 square foot multiple family residential parcel into two (2) individual parcels located at 740 30th Street Street; and

WHEREAS, the subject site is located in the Residential Multiple Family – 12 units per acre (R3,PD) land use category and the R4,PD zoning district; and

WHEREAS, since the land use designation is RMF-12, the density for the lot would be based on an R3 density; and

WHEREAS, the applicant proposes to create two lots, where each parcel would be 2,849 square feet; and

WHEREAS, the house on Parcel 2 may have a 5-foot setback to the west property line, similar to the intent of Section 21.16.I090.F, and additionally, the reduction in setback from 10-feet to 5-feet is necessary to reduce impacts to the existing oak tree on Parcel 1; 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, a public hearing was conducted by the Planning Commission on September 14, 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 04-0311 subject to the following conditions of approval:

1. 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 | Tentative Parcel Map PR 04-0311 |

2. Only 1 dwelling unit is allowed on each parcel.
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. All construction techniques as described in the Arborist Report Attached as Exhibit N of PD 04-009 (Resolution 04-052). Furthermore, prior to the issuance of a building permit, the applicant shall arrange a meeting with the General Contractor and in subs to meet

with the arborist to go over oak tree mitigations. The arborist shall submit a letter to the City acknowledging the meeting. Prior to a certificate of occupancy for each house, a letter from the Arborist stating that all mitigations measures have been addressed to his/her satisfaction, shall be submitted.

5. All new utility lines shall be installed underground.
6. Prior to map recordation, the applicant shall enter into an agreement not to protest an assessment district to relocate all overhead utility lines across or adjacent to the site.
7. The house on Parcel 2 may have a 5-foot setback to the west property line, similar to the intent of Section 21.16.I090.F. The Commission would also allow the reduction in setback from 10-feet to 5-feet in order to reduce impacts to the existing oak tree on Parcel 1.

PASSED AND ADOPTED THIS 14th day of September, 2004 by the following Roll Call Vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN, TOM FLYNN

ATTEST:

ROBERT A. LATA, SECRETARY OF THE PLANNING COMMISSION