

RESOLUTION NO. 04-128

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT TENTATIVE MAP APPROVAL FOR  
TRACT 2609  
(HARROD BUILDERS)  
APN: 009-750-001

WHEREAS, Tract 2609, an application filed by North Coast Engineering on behalf of Harrod Builders to divide a 8.5 acre parcel into twenty (20) single-family residential lots; and

WHEREAS, Tract 2609 is located on the northern side of Meadowlark Road between Beechwood Dr. and Oriole Way; and

WHEREAS, in conjunction with Tract 2609, the applicant submitted an application for Rezone 04-005, to change the Zoning designation from R1,B3-PD to R1,PD-3 establish Planned Development Overlay zoning over the site; and

WHEREAS, PD 04-023 has been filed to establish the home design and the use of model homes for the project; 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 November 23, 2004; and

WHEREAS, a public hearing was conducted by the Planning Commission on November 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. With the approval of Rezone 04-005, 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 2609 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 04-023 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	Preliminary Grading and Drainage Plan
D	Tree Preservation Report by Carolyn Leach dated Sept. 10, 2004

4. This Tentative Tract Map 2609 coincides with Rezone 04-005 and Planned Development 04-023 and authorizes the subdivision of approximately 8.5-acres site into a maximum of 20 single family residential lots ranging from approximately 8,773 square feet to 17,083 square feet in size.

5. The maximum number of residential lots permitted within this subdivision/development plan shall be 20. 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 & C, 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 04-023 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. It appears that all lots except for lots 3, 4, 5 and 14 have a natural slope of less than 10-percent and can be pad graded. The final grading plan will need to be reviewed by the City Engineer for final determination.

**Oak Tree Mitigation:**

9. Prior to the issuance of a grading permit, all mitigations as outlined in the Arborist Report performed by Carolyn Leach Consulting (attached as Exhibits D) shall be complied with. A letter from the Arborist will need to be submitted to the City acknowledging that all necessary mitigations have been complied with. Additionally, a letter from the Arborist will need to be submitted to the City prior to the final tract acceptance indicating that the mitigation has been completed in an acceptable manner.
10. Constructive notice shall be recorded against the title of Lot 3 & 6 notifying future owners that any construction on these lots will need to stay out of the Critical Root Zone of the Oak Trees.
11. Five (5) 1.5-inch replacement Blue Oak Trees shall be planted within the Tract boundaries. The placement and installation of the trees shall be done under the supervision of a horticultural professional to insure that the trees are planted in an area acceptable for that species. The five trees need to be planted per the Oak Tree Ordinance as a replacement for the 31-inch Blue Oak tree that was allowed to be removed per City Council Resolution No. 04-255.

**Wetland Mitigation:**

12. Compensatory mitigation shall be performed for impacts to waters and wetland areas on the property. Mitigation shall conform to the standards required by the regulatory agencies. Agencies with jurisdiction include the United States Army Corps of Engineers

and the Regional Water Quality Control Board (Clean Water Act sections 401 and 404), and may include the California Department of Fish and Game (CDFG code 1600). Compensatory mitigation may include establishment of additional wetland area on the project site, habitat enhancement, or offsite enhancement of wetlands or waters.

13. Prior to the issuance of a Grading Permit any necessary permits shall be obtained from the Army Corps of Engineers and/or the Department of Fish and Game.

### **Cultural/Archeological**

14. 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.

### **Engineering Site Specific Conditions**

15. Oriole Way and Beechwood Drive shall be improved along the frontage of the subdivision in accordance with City Local Street Standard A-5 and plans approved by the City Engineer. Sidewalk may be deleted north of Cool Valley Road.
16. The extension of Cool Valley Road shall be constructed in accordance with City Rural Standard A-7 with the addition of standard curbs, gutters, sidewalks and parkways on both sides of the street. City Standard A-5 can also be an option for this subdivision.
17. Existing improvements to Meadowlark Road shall be repaired as directed by the City Engineer. The subdivider shall slurry seal Meadowlark Road from curb face to centerline from Oriole Way to Beechwood Drive.
18. Fire Hydrants shall be placed on Meadowlark Road and throughout the subdivision in accordance with plans approved by the Fire Chief and City Engineer.
19. Street lights shall be placed on Meadowlark Road and throughout the subdivision in accordance with plans approved by the City Engineer.
20. Overhead utilities located along Beechwood Drive shall be relocated underground.
21. A storm water detention basin shall be provided to mitigate impacts on downstream properties. The detention basin shall be designed and landscaped to retain parkway and yard landscape irrigation runoff.
22. The applicant will need to enter into an assessment district for a Community Facilities District (CFD) for each parcel of the subdivision. The final agreement will need to be in a form approved by the City Attorney.

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

AYES: Mattke, Steinbeck, Flynn, Johnson

NOES: None

ABSENT: Kemper, Ferravanti, Hamon

ABSTAIN: None

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CHAIRMAN, TOM FLYNN

ATTEST:

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ROBERT A. LATA, SECRETARY OF THE PLANNING COMMISSION

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