

RESOLUTION NO.: 05-0029
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR TRACT 2620
(VANDERLIP / SCANLAN)

APN: 025-392-005

WHEREAS, Tentative Tract 2620 (West View Estates) has been filed by North Coast Engineering on behalf of Vince Vanderlip and Mike Scanlan to subdivide an approximate 15-acre site into 16 single family residential lots; and

WHEREAS, the proposed subdivision would be located at the terminus of Via Lantana and Via Magnolia; and

WHEREAS, the project site is located within Sub Area C of the Union/46 Specific Plan area; and

WHEREAS, Planned Development 04-016 has been filed in conjunction with this tentative map request to meet Section 21.23B.030 of the Zoning Code, which requires Planning Commission approval of a development plan for base zones which are in the planned development (overlay) district; and

WHEREAS, an environmental Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) and although mitigation measures were identified within the study (on file in the Community Development Department), the conclusion was such to enable a finding of consistency of the project with the approved Union/46 Specific Plan for which an Environmental Impact Report was already prepared and certified by the City Council, and

WHEREAS, modifications and flexibility in zoning standards is requested by the applicant for the following:

- The reduction of the 70 foot wide lot frontage (at setback line) for Lots 5, 6, 7 & 8, cul de sac lots.
- That detached garages have a 15-foot front yard setback (20 feet to the garage door if it faces the street), rather than a 50-foot front yard setback and;

WHEREAS, a public hearing was conducted by the Planning Commission on March 22, 2005, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision and associated planned development; 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.
2. As conditioned, the design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan, Zoning Ordinance and the Union 46 Specific plan;
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 subdivision is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
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.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby grant tentative map approval to Tract 2620 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. When future applications are submitted to the City for development of the newly created lots, additional site specific conditions will apply. 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>
A	Standard Conditions
B	Tentative Tract Map
C	Preliminary Grading and Drainage
D	Oak Tree Location & Lot Development Plan

3. This Planned Development 04-016 coincides with Tentative Tract Map 2620 and authorizes the subdivision of approximately 15-acres into a maximum of 16 single family residential lots ranging from approximately 10,000 square feet to 26,000-acre in size (maintaining an average of 12,000 square feet).
4. The maximum number of residential lots permitted within this subdivision/development plan shall be 16. No lots shall be eligible for further subdivision (with the exception of minor lot line adjustments).
5. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map, Oak Tree Location and Lot Development Plan and preliminary grading plan (Exhibits B - D, 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.
6. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 04-016 and its exhibits.
7. Grading of the tract shall be consistent with Hillside Grading Regulations.
8. The applicant shall implement all mitigation measures contained in the associated Environmental Finding Resolution for this project, which includes Project Mitigation Measures identified in the original Certified Environmental Impact Report for the Specific Plan. Additional project level mitigation measures are contained in this tract resolution and are designed to further off set potential impacts to less than significant.
9. The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in section 6.4 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:
 - a. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
 - b. All dirt stockpile areas should be sprayed daily as needed.

- c. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
 - d. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
 - e. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 - f. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
 - g. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - h. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
 - i. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
 - j. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
 - k. Reduce the amount of the disturbed area where possible.
10. The City Council on February 1, 2005, adopted Resolution No. 05-024 allowing the removal of the 13 oak trees (Tree No. 8, 11, 13-16, 25-29 & 60). The tree removals shall take place at the time of the site grading, with a valid Grading Permit.
11. Regarding the rest of the oak trees on site, the following mitigation measures will be added to insure proper preservation of the rest of the oak trees on site:
- a. In conjunction with the Tract Map Recordation, the Oak Tree Location & Lot Development Plan shall be recorded as an additional sheet. All future development shall stay within the building envelopes shown on the plan.
 - b. Prior to the issuance of a grading permit, all mitigations as outlined in the Arborist Report performed by A&T Arborist (attached) 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.

- c. Constructive notice shall be recorded against the title of each lot notifying future owners that any construction on these lots will need to stay out of the Critical Root Zone of the Oak Trees.
 - d. Twenty-Five (25) 1.5-inch replacement Blue Oak Trees or another combination totaling 37.25-inches inches 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 trees need to be planted per the Oak Tree Ordinance as a replacement for the 13 Blue Oak and Valley Oak trees that was allowed to be removed per City Council Resolution No. 05-024.
12. Prior to the recordation of the map, the project Architect shall provide a written certification that each lot recorded in the project phase has an adequate building area such that no additional oak trees would need to be requested for removal to accommodate development of the 16 lots (with the exception of those specifically referenced in the tract resolution for Council consideration to be removed).
13. Prior to map recordation, constructive notice shall be recorded against each parcel, notifying future property owners of the conditions of approval of PD 04-016. The constructive notice shall be approved by the City Planner and City Attorney prior to final map approval. The notice shall specifically reference the need to preserve all oak trees within the subdivision, the need for custom and/or extraordinary grading and home design measures may be necessary to develop certain lots without necessitating oak tree removal, and the need to adhere to open space preservation measures as defined by this PD resolution. The following setbacks shall also be listed within the notice:
- Setbacks for the houses and detached garages shall be as follows:
- Front: 15-feet, 20-feet to a garage door facing the street
 - Interior Side: 5-feet and 10-feet (one story)
 - Street Side: 10-feet (one or two story)
 - Rear: 20-feet
14. Prior to map recordation, an 8.5x11 exhibit for each lot shall be provided to be attached as an exhibit to the constructive notice for each lot.
15. In the event that buried or otherwise hidden cultural 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.

ENGINEERING SITE SPECIFIC CONDITIONS

16. 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.
17. Via Lantana and Via Magnolia shall be improved within the subdivision in accordance with City Hillside Street Standard A-8 and modified as approved by the City Council and the City Engineer to preserve oak trees.
18. If approved by City Council, the subdivider shall offer to dedicate public right of way along the property tract frontage of the “A” Street alignment in the Union/46 Specific Plan area as needed to accommodate the ultimate design of “A” Street.
19. If “A” Street is eliminated by the City Council, the subdivider shall participate in their pro-rata share of the design and cost of a walking trail from North River Road to the west boundary of Tract 2369 if the amendment requires this feature.
20. Covenants shall be recorded on all lots notifying future buyers of the limitations on the design of homes resulting from the Hillside Grading Ordinance and the Oak Tree Preservation Ordinance.
21. Overhead utilities located along the south boundary of the subdivision shall be relocated underground.
22. Offers of dedication shall be made to the City for all open space as shown on the Tentative Tract Map, including all property west of North River Road, and as approved by the Planning Commission.

EMERGENCY SERVICES SITE SPECIFIC CONDITIONS

23. The open space lot is considered a “fire suppression zone” and a Vegetation Management Plan

will need to be submitted for review by the Emergency Services Department prior to the issuance of a grading permit.

PASSED AND ADOPTED THIS 22nd Day of March, 2005 by the following Roll Call Vote:

AYES: Hamon, Holstine, Menath, Steinbeck, Johnson

NOES: Flynn

ABSENT: Mattke

ABSTAIN: None

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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