

RESOLUTION NO.: 05-0042

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
PARCEL MAP PR 05-0010
(KIRKPATRICK)
APN: 008-231-008

WHEREAS, Parcel Map PR 05-0010, an application filed by Dan Stewart and Associates, on behalf of Jeri Kirkpatrick to subdivide a 10,500 square foot lot into two parcels; and

WHEREAS, the site is located at 1949 Oak Street; and

WHEREAS, the subject site is located in the Residential Multi-Family (RMF-8) land use category and the R2 zoning district; and

WHEREAS, the existing house would remain on proposed Parcel 1; and

WHEREAS, the two existing apartment units (one detached and one within the existing house) are required to be removed prior to the recordation of the final map; 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 May 10, 2005, 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 05-0010 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.

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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>
A	Standard Conditions of Approval
B	Tentative Parcel Map
C	Historic District Guidelines

3. PR 05-0010 would allow the subdivision of the existing 10,500 square foot lot into two parcels where Parcel 1 would be 6,000 square feet and accommodate the existing house and Parcel 2 would be 4,500 square feet.

4. Prior to the issuance of a building permit for dwelling unit(s) on Lot 2 the final site plans and architectural elevations shall be reviewed by the Development Review Committee (DRC).
5. Prior to final map recordation, the detached studio apartment, the detached garage and the apartment within the existing house shall be removed to the satisfaction of the Building Official or his designee. All necessary Building Permits shall be obtained prior to demolition work.
6. Prior to the final map recordation, a constructive notice shall be recorded over each parcel identifying that there can be a total of three dwellings on 10,500 square foot site. If the two units are proposed on the new parcel 2, Parcel 1 may only have one unit.
7. The new house(s) on Parcel 2 shall comply with the Historic Guidelines attached to this Resolution as Exhibit C.
8. 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.
9. The applicant shall take the steps necessary to annex to or form a City Community Facilities District (CFD) in order to provide funding for City services for each new parcel or dwelling unit in the proposed development. The agreement to form or annex to a CFD shall be in a manner to be approved by the City Attorney. Participation in a City CFD for services is intended to fully mitigate the incremental impact of new residential development on City services and maintain such services at the standards established in the General Plan.

If for any reason, applicant does not take the necessary steps to have the development included within a CFD, applicant shall in a manner subject to approval by the City Council and City Attorney, provide for alternative means of fiscal mitigation at a level equal to the special taxes established in the Rate and Method of Apportionment applicable to CFD 2005-1, as they may be adjusted from time to time. The alternative means of fiscal mitigation could include, but would not be limited to, equivalent funding being provided by a Homeowners Association, a perpetual endowment to cover the

incremental costs of City services (including adjustments similar to those established for the CFD), a City road maintenance assessment district, or a combination of such tools to insure full fiscal mitigation of impacts to City services.

10. Prior to recordation of the final map curb, gutter and sidewalk shall be constructed on 20th Street in accordance with City Standard A-12. Curb, gutter and sidewalk on Oak Street shall be repaired in the accordance with the direction of the City Engineer.
11. Prior to recordation of the final map, a cross-gutter shall be constructed across 20th Street along the west side of Oak Street in accordance with City Standard B-7.
12. Prior to recordation of the final map alley paving along the frontage of the property shall be constructed in accordance with City Alley Standard A-17, along with a standard alley approach on 20th Street.
13. Prior to recordation of the final map a fire hydrant shall be placed at the southeast corner of 20th and Oak Streets.
14. Individual water and sewer services shall be provided to each parcel. The final parcel map shall include all utility easements necessary, including an easements for water and sewer services to all parcels.
15. Prior to final map approval, the applicant shall enter into an agreement not to protest the formation of an assessment district to underground existing overhead utilities in the block.

PASSED AND ADOPTED THIS 10th day of May, 2005 by the following Roll Call Vote:

AYES: Johnson, Mattke, Hamon, Flynn, Steinbeck, Holstine, Menath
NOES: None
ABSENT: None
ABSTAIN: None

CHAIRMAN, ED STEINBECK

ATTEST:

ROBERT A. LATA, SECRETARY OF THE PLANNING COMMISSION

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