

RESOLUTION NO.: 05-0046  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT APPROVAL OF PLANNED DEVELOPMENT 04-017,  
AS SUBMITTED BY CENTEX  
(J.M. WILSON DEVELOPMENT)  
APN: 009-815-002

WHEREAS, Tract 2611, an application filed by North Coast Engineering on behalf of J.M. Wilson Development to divide an 11 acre parcel into twenty (45) single-family residential lots; and

WHEREAS, Tract 2611 is located at 1650 South River Road; and

WHEREAS, in conjunction with Tract 2611, the applicant submitted an application for Rezone 04-008, to change the Zoning designation of the lower property from R1,B3 to R1,PD-4, and change the Zoning designation of the upper property from R1,B3 to R1,PD-6 and establish Planned Development Overlay zoning over the site; and

WHEREAS, PD 04-017 has been filed to establish the design criteria for the subdivision, with the intent that the project continue the same character as the neighboring Serenade project; and

WHEREAS, an Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) and a Negative Declaration was approved by the Planning Commission on November 23, 2004, and

WHEREAS, the Planning Commission at their meeting on December 14, 2004, approved Tentative Tract 2611 on a 4/2 vote and on a 5/1 vote recommended that the City Council approve Rezone 04-008; and

WHEREAS, the Planning Commission did not approve Planned Development 04-017 based on what seemed to be primarily architectural related reasons related to the development proposed on the upper 7-acres of the site; and

WHEREAS, the applicant filed and appeal of the Planning Commission's action to not approve PD 04-017 to the City Council; and

WHEREAS, on January 4, 2005, the City Council reviewed the appeal request, and on a 5/0 vote denied the applicants request to appeal, thereby upholding the Planning Commission's decision

to not approve PD 04-017, furthermore, the Council directed the applicant to redesign the project and resubmit it to be reviewed by the Planning Commission, incorporating the following design elements:

- Incorporate the use of one story homes in the project, especially for those lots that back up or side against existing Serenade lots;
- Design lots/homes to allow for adequate side yard setbacks for two story homes;
  
- Explore the possibility of providing a decorative masonry wall at appropriate locations, along the southern boundary of the tract adjacent to Oxen Court;
  
- Develop a landscape plan to provide a landscape buffer, where appropriate, within the rear/side yards of those lots that would be adjacent to the existing Serenade lots.

WHEREAS, the applicant resubmitted plans that incorporated the use of a one story model into the project, the model would be placed on 13 out of the 39 lots; and

WHEREAS, at the April 26<sup>th</sup> meeting, the Commission continued the item to the meeting on May 24, 2005, to allow the applicant time to redesign the plan in order to take into consideration the results of a Planning Commission discussion on three key policy issues;

- A. A wall on the south project boundary;
- B. Location of 2-story buildings;
- C. Minimum setbacks.

and;

WHEREAS, Centex Homes has submitted a revised development plan that has introduced single story homes on lots 2 and 4, which results in all single story homes on lots 1-5; and

WHEREAS, Centex Homes has presented a matrix outlining the actual setbacks of each house on each lot; and

WHEREAS, based upon the facts and analysis presented in the staff reports, public testimony received and subject to the conditions of approval listed below, the Planning Commission makes the following findings:

1. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16A (Planned Development Overlay District Regulations) as follows:
  - a. The granting of this permit will not adversely affect the policies, spirit and intent on the general plan, applicable specific plans, the zoning code, policies and plans of the City;

- b. The proposed project is designed is to be sensitive to, and blend in with, the character of the site and surrounding area;
- c. The proposed project's design and density of developed portion of the site is compatible with surrounding development and does not create a disharmonious or disruptive element to the surrounding area;
- d. The development would be consistent with the purpose and intent of this chapter and would not be contrary to the public health, safety and welfare;
- e. The upper 7-acres of the proposed project is proposed to be consistent with the Serenade subdivision, with similar lot sizes and grading techniques;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby approve Planned Development 04-017 subject to the following conditions:

**STANDARD CONDITIONS:**

- 1. The project shall comply with all conditions of approval contained in the resolution granting approval to Tentative Tract 2611, Rezone 04-008 and the associated exhibits.

**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:

EXHIBIT	DESCRIPTION
A	Tentative Tract Map
B	Preliminary Grading and Drainage Plan
C-1, C-2	Architectural Site Plan & Setback Matrix for lots 1-36
D1-D7	Conceptual Model Homes
E	Building Envelope for Lot 40
F	Building Envelope for Lot 41
*Full size plans are on file with the Community Development Department	

- 3. This Planned Development 04-017 coincides with Tentative Tract Map 2611 and Rezone 04-008 and authorizes the subdivision of approximately 11-acres into a maximum of 45 single family residential lots ranging from approximately 4,500 square feet to 14,456 square feet in size.
- 4. PD 04-017 has been approved to allow the following deviations to the standard zoning code requirements for the upper 7-acre portion of the site:

- a. allow setbacks in accordance of the Phase I Setback Matrix (Exhibit C-2), the DRC may allow changes on a lot by lot basis as long as there is a minimum 5-foot interior side yard setbacks for both one and two story homes;
  - b. the applicant shall make efforts to retain a 20-foot rear yard setback for the house on Lot 21. If because of the oak tree on the lot, a 20-foot setback can not be obtained without impact to the tree, the DRC may approve a reduction in the rear yard setback of no less than 15-feet. An arborist may need to be involved with the house placement on this lot.
  - c. allow retaining walls between two side yards to extend beyond 4-feet to no higher than 5 feet;
  - d. allow the reduction in lot sizes to a minimum of 4,500 square feet;
  - e. allow the use of pad grading without the requirement to have setbacks to slopes and retaining walls from property lines unless required by building codes;
  - f. to allow the use of model homes for the project; and
5. Prior to map recordation, the following items need to be brought back for DRC review and approval:
- a. Plan indicating which homes will have enhanced window trim. At a minimum, those homes on the corner lots and the homes that back up to or side on Serenade Dr need to have enhanced features.
  - b. Adequate mix of models shall be used to avoid the repeat placement of like models adjacent to one another or repetitively;
  - c. A landscape plan for the parkway planting as well as front yard landscaping will need to be submitted. In addition to street trees within the parkway, the developer shall include a minimum of two (2) front yard trees in the private landscaping design to increase long term vegetation screening for the subdivision. Additional trees shall be provided for corner lots.
  - d. A fencing plan will need to be submitted showing location and types of fencing. Enhanced fencing may be necessary for the rear yard fencing for lots 9-15 and the side yards of lots 1 and 9.
  - e. A plan showing the location and architectural details of the decorative masonry wall for the southern property line. The exact location and design of the wall will need to be reviewed by the project Arborist to insure that the wall will not impact the existing oak trees.
  - f. The landscaping plan needs to include landscaping on both sides of the wall including the area owned by the City (detention basin). The landscaping plan shall take the existing oak

trees into account and not be detrimental to the trees health. At the time that the wall plans are submitted for DRC review, the property owners that front on Oxen Court, west of Brahma shall be notified of the meeting.

6. Prior to recordation, the applicant shall submit a Master Street Tree planting plan for review by the Development Review Committee and contingent on approval by the Streets Division.
7. Each home for Lots 40-45 shall go through a minor site plan review through the DRC.

PASSED AND ADOPTED THIS 24<sup>th</sup> day of May, 2005 by the following Roll Call Vote:

AYES: Hamon, Holstine, Menath, Steinbeck

NOES: Flynn, Johnson, Mattke

ABSENT: None

ABSTAIN: None

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CHAIRMAN ED STEINBECK

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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