

RESOLUTION NO.: 05-0101

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
TRACT 2753
(MANNIE)
APN: 008-031-026

WHEREAS, Tract 2753, an application filed by Ralph McCarthy on behalf of Jerome M. Mannie, to divide an approximate 21,000 square foot site into six (6) condominium lots with one common lot for access and parking; and

WHEREAS, Tract 2753 is located on the southeast corner of 36th Street and Oak Street; and

WHEREAS, in conjunction with Tract 2753, the applicant submitted an application for PD 03-004 to establish the design of the subdivision; and

WHEREAS, the subject site is located in the RMF- 12 land use category and R-4, zoning district; and

WHEREAS, since the site has a RMF-12 land use designation, R3 densities are required to be used to calculate the number of units for the site, which would allow the development of 6 units; 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 8, 2005, and

WHEREAS, a public hearing was conducted by the Planning Commission on November 8, 2005 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. 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 2753 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 03-004 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	Grading/Drainage
D	Arborist Report

4. This Planned Development 03-004 coincides with Tentative Tract Map 2753 authorizes the subdivision of an approximate 21,000 square foot lot into 6 condominium units with associated covered parking and landscaping.
5. The maximum number of residential lots permitted within this subdivision/development plan shall be 6. 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 04-003 and its exhibits.
8. Prior to the approval of the final map, in conjunction with the street improvement plans, the street tree plan shall be reviewed and accepted by the Public Works Department. All necessary irrigation shall be shown on the plan.
9. In the event that buried or otherwise hidden 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.
10. In conjunction with the final grading plans for the project, the arborist shall submit a letter acknowledging that he has reviewed the plans and that the grading and retaining walls have been designed in a manner to protect the existing oak tree (Tree No. 1).
11. Oak Trees No. 2 and 3 shall be preserved and designed around to the satisfaction of the City Engineer and the project arborist, unless the City Council allows the trees to be removed.
12. 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.

For any project resulting in the development of five (5) or more residential units on separate parcels, applicant shall also prepare and record the necessary documents to form a homeowners association (the "HOA") for such development, which HOA shall become active only if and when the CFD is terminated. The HOA documents shall provide that the HOA shall be required to fund the services provided by the CFD, and at the same level established in the Rate and Method of Apportionment for the CFD.

Engineering Site Specific Conditions

- 13. Improvements on Oak Street shall be constructed in accordance with City Local Street Standard A-5.
- 14. Improvements on 36th Street shall be constructed in accordance with City Westside Standard A-12.
- 15. A new fire hydrant shall be placed at the corner of 36th and Oak Streets.
- 16. All existing overhead utilities along the frontage of the project shall be relocated underground. A permanent street light shall be installed at the corner of 36th and Oak Streets in accordance with City Standard U-3.

PASSED AND ADOPTED THIS 8th day of November, 2005 by the following Roll Call Vote:

AYES: Johnson, Flynn, Menath, Holstine, Hamon, Mattke

NOES: None

ABSENT: Steinbeck

ABSTAIN: None

VICE CHAIRMAN, ERIC MATTKE

ATTEST:

ROBERT A. LATA, SECRETARY OF THE PLANNING COMMISSION

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