

RESOLUTION NO.: 06-0057

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT APPROVAL FOR PLANNED DEVELOPMENT 06-006
(BRIAN O'KELLY)
APN: 025-392-004

WHEREAS, Tentative Tract 2805 (Hidden Oaks) has been filed by North Coast Engineering on behalf of Brian O'Kelly to subdivide an approximate 9.32-acre site into 13 single family residential lots; and

WHEREAS, the site is located at 2670 North River Road; 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, Section 15182 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA) exempts projects from additional environmental review when it can be determined that the subject project(s) is consistent with the adopted Specific Plan of which it is a part.

WHEREAS, the following modifications to the setbacks described in Table 21.16.E.220 are permitted in order to allow additional flexibility to design around the oak trees as allowed by Section 21.16A, Planned Development District;

- Allow a 16-foot garage-door setback for the detached garage on Lot 6. Also allow the front setback for the detached garage on Lot 6 to be 20 feet rather than 50-feet;
- That the easterly property line of Lot 8 be considered the front and therefore the northerly property line be an interior side yard setback;
- That a portion of the proposed house on Lot 9 be allowed to have a 5-foot minimum front yard setback (from easterly property line), as long as the garage maintains a 20-foot setback;

and;

WHEREAS, a public hearing was conducted by the Planning Commission on July 11, 2006 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 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 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 project is consistent with the policies for development established within the Union/46 Specific Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby approve Planned Development 06-006 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 2805 and its 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 & Drainage
C	Oak Tree Location & Lot Development Plan
D	Residential Development Concept Plan
E	Design Guidelines for Tract 2805

Full size plans are on file with the Community Development Department

3. This Planned Development 06-006 coincides with Tentative Tract Map 2805 and authorizes the subdivision of approximately 9.3-acres into a maximum of 13 single family residential lots ranging from approximately 17,000 square feet to 1.5-acres 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 13. No lots shall be eligible for further subdivision (with the exception of minor lot line adjustments).
5. Prior to the issuance of a Building Permit for each lot, site plans, architectural elevations, colors/materials, fencing plans and landscaping plans shall be submitted to the Development Review Committee (DRC). At a minimum, all elevations visible from the public street shall have window trim such consistent with that of the front elevation.
6. Homes on Lots that have oak trees shall be constructed within the developable area as shown on the Oak Tree Location & Lot Development Plan attached to this resolution (Exhibit C). In no circumstance can the house foot print extend out of the developable area and further impact the oak trees.
7. Setbacks for the houses and detached garages shall comply with the setbacks outlined in Table 21.16E.220 of the Zoning Code, except for the setback modifications allowed for Lots 6, 8 & 9 as described below:
 - Allow a 16-foot garage-door setback for the detached garage on Lot 6. Also allow the front setback for the detached garage on Lot 6 to be 20 feet rather than 50-feet;
 - That the easterly property line of Lot 8 be considered the front and therefore the northerly property line be an interior side yard setback;

- That a portion of the proposed house on Lot 9 be allowed to have a 5-foot minimum front yard setback (from easterly property line), as long as the garage maintains a 20-foot setback;
8. A shared driveway maintenance agreement will need to be recorded for lots that share a driveway.
 9. Prior to the recordation of the final map, a conceptual fencing plan shall be submitted for review by the Development Review Committee. The plan needs to show a detail of the proposed types of fencing and generally where each type of fencing would be placed. The proposed solid wall along Kleck Road for Lot 13 needs to also be included in the plan.

PASSED AND ADOPTED THIS 11th day of July, 2006 by the following Roll Call Vote:

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

NOES: None

ABSENT: Withers

ABSTAIN: None

CHAIRMAN JOHN HAMON

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

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