

RESOLUTION NO.: 06-0061
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT APPROVAL FOR A REFILE OF
PLANNED DEVELOPMENT 04-002
(Langille)

APN: 025-040-065

WHEREAS, Tentative Tract 2573 along with Planned Development 04-002 was originally approved by the Planning Commission on March 9, 2004, via Resolutions 04-030, 04-031 & 04-032; and

WHEREAS, the original entitlement was good for two years and since an application for a time extension was not submitted by the applicant prior to March 9, 2006, the tentative tract map and development plan expired on March 9, 2006; and

WHEREAS, on June 29, 2006, Conrad Langille submitted a request for a refile of the tentative map and development plan; and

WHEREAS, Tentative Tract 2573 along with Planned Development 04-002 would subdivide an approximate 5 acre site into 11 single family residential lots; and

WHEREAS, the subdivision is located east of the Montebello subdivision, north of Union Road and west of Arciero Way across from Terrabella Court; and

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

WHEREAS, Planned Development 04-002 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, the Planning Commission on March 9, 2004 adopted Resolution 04-030 approving a finding of consistency with the approved Union/46 Specific Plan and its associated Environmental documents in consideration of Tentative Tract Map 2573 and Planned Development 04-002; and

WHEREAS, the Planning Commission on March 9, 2004 adopted Resolution 04-030 approving a finding of consistency with the approved Union/46 Specific Plan, by adopting a Mitigated Negative Declaration for Tentative Tract Map 2573 and Planned Development 04-002; 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, modifications and flexibility in zoning standards is requested by the applicant for the following:

- a. Modify the widths of cul de sac lots to less than 70 feet at the 20 foot set back line because of the radius design of the bulb;

WHEREAS, staff has reviewed the refile request and has concluded that there have been no changes to the General Plan and Zoning since the original tentative map was approved that would create any inconsistencies, and therefore the tentative map is still in conformance with the General Plan and Zoning; and

WHEREAS, a public hearing was conducted by the Planning Commission on July 25, 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 04-002 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 2573 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	Project Data Sheet
B	Architectural Site Plan
C	Typical Lot Development Plan / Site Sections
D	Conceptual Elevations / Fence Details
E-1, E-2	Preliminary Street Tree Plan
F-3	Typical Front Yard Landscape Plan
G	Site Details

Full size plans are on file with the Community Development Department

3. This Planned Development 04-002 coincides with Tentative Tract Map 2573 and authorizes the subdivision of approximately 5-acres into a maximum of 11 single family residential lots ranging from approximately 10,160 square feet to 23,230-acre in size (maintaining an average of 12,000 square feet). The project includes the installation of parkway landscaping and street trees, decorative wall/landscape entrance features, sewer line construction, and future homes.
4. All lots within the subdivision shall have a minimum lot width of 70 feet when measured at setback line, with the exception of those cul-de-sac lots proposed around Terrabella Court and Adrianna Court, which may be less.

5. The final details of all project landscaping, street trees and project signs shall be subject to review and approval by the Development Review Committee (DRC) prior to map recordation as outlined in this and/or the Resolution approving Tentative Tract 2573. All conditions contained in that resolution shall be executed in coordination with these Planned Development (PD 04-002) conditions.
6. Prior to map recordation, Model Homes for future tract development shall be subject to review by the Development Review Committee (DRC). The developer shall provide a plan package to include: site plan (with setbacks and model locations), typical front yard landscaping, typical side yard planting for corner lots, floor plans, elevations (all four sides) and colors and materials. The DRC will review the plans to assure that the following design intentions are achieved:
 - a. Homes shall utilize “four-sided” architecture (i.e., appropriate level of detail treatment on all sides, especially where visible from a public way);
 - b. Colors and materials shall be in neutral tones to blend with the natural adjacent surroundings and vegetation;
 - c. Two story homes on corner lots should be avoided;
 - d. Adequate mix of models shall be used to avoid the repeat placement of like models adjacent to one another or repetitively;
 - e. To the greatest extent feasible, home models should include design measures that orient the garages away from the street face (i.e., side loading or recessed towards the rear of the parcel).
 - f. 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.
7. Prior to the recordation, the applicant shall provide a Master Privacy Fencing plan for interior fencing design and locations. The plan shall include a standard design treatment, plus typical layouts for corner lots and front yard set backs. The plan also need to take into consideration the fencing for Lots 2, 3, 4, 5, and 8 which back up to the sewer access road/ pedestrian path, where a more permanent open style fencing such as a vinyl coral board or tubular steel, or some other decorative type fencing. The fencing along the access road will need to correspond with the fencing for Tract 2571. This plan shall be subject to review by the Development Review Committee.
8. Future subdivision identification signs may be located at project entrances in accordance with the City’s zoning codes subject to review and approval by the Development Review Committee. Signs shall be visually compatible with walls, landscaping and other features of the subdivision’s character. Lighting shall be kept to a minimum and fully shielded. The Landscaping / Entrance Wall / Sign treatment for public street/project entrances shall be consistent with placement and design as shown in the project exhibits. Final design of wall, landscaping and signage shall be subject to review by the Development Review Committee (DRC).

9. Prior to recordation, the applicant shall submit a Master Street Tree planting plan for all phases that shall be subject to review by the Development Review Committee and contingent on approval by the Streets Division. The purpose of the plan is to establish a comprehensive long term approach for specific species along each street. Tree species shall be chosen from the City's approved street tree palette. Trees shall be planted a minimum of 40 feet on center in accordance with the Specific Plan standards and shall be installed on a phase by phase basis in accordance with Tract conditions.
10. Homes on Lots that have oak trees (Lots 2, 3, and 9) shall be constructed within the developable area as shown on the Grading and Drainage Plan and the Landscape Plans attached to this resolution. In no circumstance can the house foot print extend out of the developable area and further impact the oak trees.
11. Prior to or concurrent with the recordation of the map, a constructive notice shall be recorded against each parcel with an oak tree(s) warning future property owners of the requirement to construct within the developable area as shown on the preliminary exhibits to PD 04-002 and Tract 2573.
12. Prior to the recordation of the map, the Engineer of Record 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 (with the exception of those specifically referenced in the tract resolution for Council consideration to be removed).
13. Prior to map recordation, Conditions, Covenants, and Restrictions (CC&R's) or equivalent constructive notice, shall be prepared and shall contain notification to future lot buyers of the conditions of PD 04-002. The CC&R's or equivalent constructive notice shall be approved by the City Planner and City Attorney prior to final map approval. Constructive 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 that 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.
14. All open space easement areas shall be subject to the use constraints outlined in Exhibit I of this resolution. Prior to recordation of each map phase, the developer shall record constructive

notice in a form acceptable to the City Attorney to future lot owners of these Open Space Restrictions.

PASSED AND ADOPTED THIS 25th day of July, 2006 by the following Roll Call Vote:

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

NOES: None

ABSENT: Johnson

ABSTAIN: None

CHAIRMAN JOHN HAMON

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

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