RESOLUTION NO: 15-028

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES APPROVE PLANNED DEVELOPMENT 15-006 AND VESTING TENTATIVE PARCEL MAP PR 09-0105 APN: 025-438-026 APPLICANT – TRI-WEST DEVELOPMENT, INC.

WHEREAS, North Coast Engineering, on behalf of Tri-West Development, Inc. has filed for the following applications:

- a. **Rezone 15-003:** add Planned Development (PD) Overlay zoning over the existing R-1 zone to allow for flexibility in lot size and building setbacks;
- b. **PD 15-006**: request modifications from the R1-B3 zoning requirements to allow for lots to be less than the 20,000 square foot minimum, lot widths less than 100 feet, and allow reduced side yard setbacks from 10-feet on each side to 10 feet on one side, and 5 feet on the other side;
- c. **Vesting Tentative Parcel Map PR 15-0058**: request to subdivide a 1.94 acre lot into four lots ranging in size from 31,000 square feet to 14,996 square feet;
- d. Oak Tree Removal: request to remove 2 native white oak trees (one 11-inch and one 13-inch);

and;

WHEREAS, the property is located at 2025 Union Road; and

WHEREAS, the General Plan designation is RSF-2 (Residential Single Family, 2 units to the acre), and the zoning designation is R1-B3 (Residential Single Family, 20,000 square foot lots); and

WHEREAS, by adding PD Overlay zoning, the applicants are requesting that the City Council allow flexibility in lot size, lot width, and building setbacks associated with the subdivision of the property; and

WHEREAS, Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study and Negative Declaration (ND) was prepared and circulated for public review and comment; and

WHEREAS, the circulation period for the Negative Declaration is October 16, 2005 to November 4, 2015, the information contained in the Initial Study prepared for this project, concludes that there is no substantial evidence that this project would have significant adverse effects on the environment and recommends that the City Council approve the Negative Declaration; and

WHEREAS, at a meeting held on October 27, 2015, the Planning Commission took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Held a public hearing to obtain public testimony on the proposed ordinance;
- c. Based on the information contained in the Initial Study prepared for this project, found that there was no substantial evidence that this project would have significant adverse effects on the environment and recommended that the City Council approve the Negative Declaration;
- d. Recommended that the City Council approve the proposed Planned Development 15-006, Vesting Tentative Parcel Map PR 15-0058, and Oak Tree Removal 15-006; and

NOW, THEREFORE, the Planning Commission of the City of El Paso de Robles recommends as follows:

<u>SECTION 1</u>: <u>Findings PD</u>: based upon facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

- 1. The project is consistent with the adopted codes, policies, standards and plans of the City; and
- 2. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and
- 3. The proposed development plan accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors; and the public right-of-way; and
- 4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts; and
- 5. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc.; and
- 6. The proposed development plan contributes to the orderly development of the City as a whole.
- 7. The proposed development plan as conditioned would meet the intent of the General Plan and Zoning Ordinance by providing the opportunity for clean attractive business to be located in the Business Park/Planned Industrial designated areas of the City.

8. The proposed lot size, lot width and setback modifications would result in a project that would be consistent with other residential neighborhoods in the vicinity of this project.

<u>SECTION 2</u>: <u>Findings Map</u>: 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 vesting tentative parcel map is consistent with the adopted General Plan for the City of El Paso de Robles in that it provides for infill development within close proximity to schools, shopping, and other services;
- 2. The proposed Vesting Tentative Parcel Map is consistent with Planned Development 15-006;
- 3. As conditioned, the design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan and Zoning Ordinance;
- 4. The site is physically suitable for the type of development proposed;
- 5. The site is physically suitable for the proposed density of development;
- 6. 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;
- 7. The land division proposed is not likely to cause serious public health problems;
- 8. The design of the land division will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision;
- 9. The fulfillment of the requirements listed in the Conditions below are a necessary prerequisite to the orderly development of the site and surrounding area.

<u>SECTION 3</u>: <u>Findings Oak Tree Removal</u>: based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission finds that makes the following findings:

1. The request to remove the two oak trees is necessary to allow for the construction of curb, gutter and sidewalk for the projects frontage along Union Road.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby recommend that the City Council grant approval of Planned Development 15-006, development plan (Exhibit A), Vesting Tentative Parcel Map PR 15-0058, subject to the following conditions of approval, and deny OTR 15-006 based on findings in Section 3 of this resolution, and as indicated on attached Exhibit F.

STANDARD CONDITIONS OF APPROVAL:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit B" 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.

2. The project shall be constructed in substantial conformance with the Conditions of Approval established by this Resolution and it shall be constructed in substantial conformance with the following Exhibits:

<u>EXHIBIT</u>	DESCRIPTION
С	Vesting Tentative Parcel Map 15-0058
D	Preliminary Grading, Drainage, and Utility Plan
E	Development Plan
F	Oak Tree Exhibit

- 3. Vesting Tentative Parcel Map PR 15-0058 allows for the subdivision of the 1.9 acre site into four parcels, where Parcel 1 would be 31,621 square feet, Parcel 2 would be 19,016 square feet, Parcel 3 would be 19,005 square feet, and Pracel 4 would be 14,996 square feet, as shown on Exhibit B, Vesting Tentative Parcel Map 15-0058.
- 4. PD 15-003 would allow for the following modifications:
 - a. Allow for the parcels to be less than the 20,000 square foot lot minimums and less than the 100-foot lot width as required by the R1B3 zoning, as described above in Condition No. 3, and indicated on Exhibit B-D;
 - b. Allow for interior side yard setbacks to be 5-feet on one side and 10-feet on the other side, for one story single family homes, as described in Exhibit D, Site Plan.
- 5. Prior to the issuance of, or in conjunction with a building permit on each lot, the following final details shall be submitted for Planning Division Staff review:
 - a. Final site plan and architectural elevations;
 - b. Exterior light fixtures;
 - c. Final colors/materials:
 - d. Detailed landscape plan including transformer, backflow and other equipment screening; Note: Landscape plan is subject to the requirements within the LS Ordinance.
 - f. Fencing Plan
- 6. Prior to recordation of the final map, the existing residence on the property shall be demolished and any well on the property shall be abandoned in accordance with the requirements of the County Health Department.

- 7. Prior to occupancy of any building permit, Union Road shall be improved along the frontage of the property with curb, gutter, sidewalk and paving in accordance with plans approved by the City Engineer. Paving improvements shall include grind and overlay of existing pavement to centerline.
- 8. Prior to occupancy of any building permit, a sewer main shall be extended from Prospect Avenue in accordance with plans approved by the City Engineer. A 15-foot wide public sewer easement shall be provided on the property west of the subject property to accommodate the sewer main extension.
- Prior to occupancy of any building permit, the existing overhead utility line across the property shall be relocated underground.

PASSED AND ADOPTED THIS 27th day of October, 2015 by the following Roll Call Vote:

AYES:

Rollins, Barth, Cooper, Burgett, Donaldson, Vanderlip

NOES:

None

ABSENT:

Brennan

ABSTAIN:

None

VINCE VANDERLIP, CHAIRMAN

ATTEST:

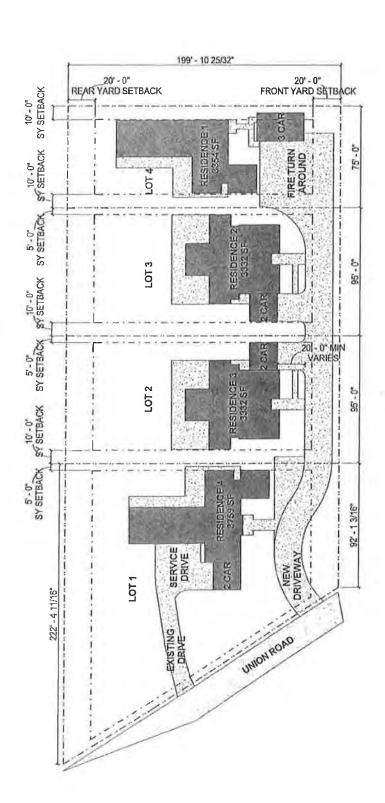
WARREN FRACE, SECRETARY OF THE PLANNING COMMISSION







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(Tri-West Development) Development Plan 2025 Union Road **Exhibit A**

EXHIBIT B OF RESOLUTION

CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS

\times F	Planned	Development – PD 15-003	Conditional Use Permit
⊠ Te	<u>entative</u>	Parcel Map- PR 15-0058	Tentative Tract Map
<u>Appr</u>	oval Boo	dy: City Council	Date of Approval:
Appli	icant: Tr	i-West	Location: 2025 Union Rd
<u>APN</u>	: 025-40	3-032	
reference project specification of the contract of the contrac	enced potential conditions in the conditions in	roject. The checked condition be finalized, unless otherwise sitions of approval that apply to the condition of DEVELOPMENT DEPARTM	cked are standard conditions of approval for the above is shall be complied with in their entirety before the specifically indicated. In addition, there may be site his project in the resolution. ENT - The applicant shall contact the Community for compliance with the following conditions:
A.	GENE	ERAL CONDITIONS - PD/CUP	:
	1.		expire onunless a time extension nunity Development Department, or a State mandated oplied prior to expiration.
	2.	and unless specifically provide	and maintained in accordance with the approved plans ed for through the Planned Development process shall y sections of the Zoning Code, all other applicable City pecific Plans.
	3.	and expenses, including atto of City in connection with Cit in any State or Federal cou project. Owner understands	aw, Owner agrees to hold City harmless from costs rney's fees, incurred by City or held to be the liability ty's defense of its actions in any proceeding brought rt challenging the City's actions with respect to the and acknowledges that City is under no obligation to llenging the City's actions with respect to the project.
\boxtimes	4.	Any site specific condition im	posed by the Planning Commission in approving this

modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval. 5. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition. 6. All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign. 7. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block. \boxtimes Prior to the issuance of a Building Permit a landscape and irrigation plan 8. consistent with the Landscape and Irrigation Ordinance, shall be submitted for City review and approval. The plan needs to be designed in a manner that utilizes drought tolerant plants, trees and ground covers and minimizes, if not eliminates the use of turf. The irrigation plan shall utilize drip irrigation and limit the use of spray irrigation. All existing and/or new landscaping shall be installed with automatic irrigation systems. A reciprocal parking and access easement and agreement for site access, 9. parking, and maintenance of all project entrances, parking areas, landscaping, hardscape, common open space, areas and site lighting standards and fixtures, shall be recorded prior to or in conjunction with the Final Map. Said easement and agreement shall apply to all properties, and be referenced in the site Covenants, Conditions and Restrictions (CC&Rs). 10. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code. 11. For commercial, industrial, office or multi-family projects, all refuse enclosures are required to provide adequate space for recycling bins. The enclosure shall be architecturally compatible with the primary building. Gates shall be view obscuring and constructed of durable materials. Check with Paso Robles Waste Disposal to determine the adequate size of enclosure based on the number and size of containers to be stored in the enclosure. 12. For commercial, industrial, office or multi-family projects, all existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical

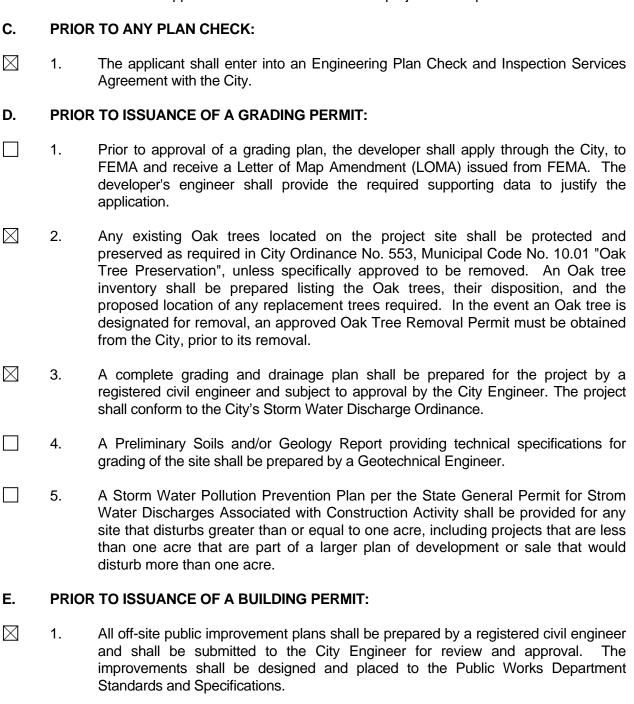
project (**Tentative Parcel Map**) may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such

transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans. 13. All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans. 14. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and shall be subject to approval by the Community Development Director or his designee. 15. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block. \boxtimes 16. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents. \boxtimes 17. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No.835 N.S., Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to removal. 18. No storage of trash cans or recycling bins shall be permitted within the public right-of-way. \boxtimes 19. Prior to recordation of the map or prior to occupancy of a project, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee. 20. Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department prior to the issuance of building permits. \boxtimes 21. Prior to the issuance of building permits, the

		Development Review Committee shall approve the following: Planning Division Staff shall approve the following:
		 A detailed site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
		b. A detailed landscape plan;
		materials, colors, and architectural treatments;
		d. Other: <u>See PD & Parcel Map Resolution for site specific conditions of approval</u> .
В.	GENE	RAL CONDITIONS - TRACT/PARCEL MAP:
	1.	In accordance with Government Section 66474.9, the subdivider shall defend, indemnify and hold harmless the City, or its agent, officers and employees, from any claim, action or proceeding brought within the time period provided for in Government Code section 66499.37, against the City, or its agents, officers, or employees, to attack, set aside, void, annul the City's approval of this subdivision. The City will promptly notify subdivider of any such claim or action and will cooperate fully in the defense thereof.
	2.	The Covenants, Conditions, and Restrictions (CC&Rs) and/or Articles Affecting Real Property Interests are subject to the review and approval of the Community Development Department, the Public Works Department and/or the City Attorney. They shall be recorded concurrently with the Final Map or prior to the issuance of building permits, whichever occurs first. A recorded copy shall be provided to the affected City Departments.
	3.	The owner shall petition to annex residential Tract (or Parcel Map) <u>PR 15-0058</u> into the City of Paso Robles Community Facilities District No. 2005-1 for the purposes of mitigation of impacts on the City's Police and Emergency Services Departments.
	4.	Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.
	5.	The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:
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ENGINEERING DIVISION- The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:

All conditions marked are applicable to the above referenced project for the phase indicated.



	2.	The applicant shall submit a composite utility plan signed as approved by a representative of each public utility.
	3.	Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Streets Division Supervisor and the Community Development Department.
	4.	In a special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM) the owner shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor or civil engineer licensed in the State of California.
F.		R TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR RECORDATION OF FINAL MAP:
	cons	Planning Commission has made a finding that the fulfillment of the truction requirements listed below are a necessary prerequisite to the orderly opment of the surrounding area.
	1.	The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services.
	2.	All public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
	3.	The owner shall offer to dedicate and improve the following street(s) to the standard indicated:
		Street Name City Standard Standard Drawing No.
	4.	If, at the time of approval of the final map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act.
		Bonds required and the amount shall be as follows: Performance Bond100% of improvement costs. Labor and Materials Bond50% of performance bond.
	5.	If the existing City street adjacent to the frontage of the project is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall excavate the entire structural section and replace it with a standard half-width street plus a 12' wide travel lane and 8' wide graded shoulder adequate to provide for two-way traffic.

	6.	If the existing pavement and structural section of the City street adjacent to the frontage of the project is adequate, the applicant shall provide a new structural section from the proposed curb to the edge of pavement and shall overlay the existing paving to centerline for a smooth transition.
	7.	Due to the number of utility trenches required for this project, the City Council adopted Pavement Management Program requires a pavement overlay on Vine Street along the frontage of the project.
	8.	The applicant shall install all utilities. Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project.
	9.	The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:
		 a. Public Utilities Easement; b. Water Line Easement; c. Sewer Facilities Easement; d. Landscape Easement; e. Storm Drain Easement.
	10.	The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:
		 a. Street lights; b. Parkway/open space landscaping; c. Wall maintenance in conjunction with landscaping; d. Graffiti abatement; e. Maintenance of open space areas.
	11.	For a building with a Special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM), the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a lands surveyor or civil engineer licensed in the State of California.
\boxtimes	12.	All final property corners shall be installed.
	13.	All areas of the project shall be protected against erosion by hydro seeding or landscaping.
	14.	All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.

	15.	Clear blackline mylars and paper prints of record drawings, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. An electronic autocad drawing file registered to the California State Plane – Zone 5 / NAD83 projected coordinate system, units in survey feet, shall be provided.
PASO ROBLES DEPARTMENT OF EMERGENCY SERVICES- The applicant shall contact the Department of Emergency Services, (805) 227-7560, for compliance with the following conditions:		
G . (GENERAI	Prior to the start of construction: □ Plans shall be reviewed, approved and permits issued by Emergency Services for underground fire lines. □ Applicant shall provide documentation to Emergency Services that required fire flows can be provided to meet project demands. □ Fire hydrants shall be installed and operative to current, adopted edition of the California Fire Code. □ A based access road sufficient to support the department's fire apparatus (HS-20 truck loading) shall be constructed and maintained for the duration of the construction phase of the project. □ Access road shall be at least twenty (20) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance.
2.		Provide central station monitored fire sprinkler system for all residential, commercial and industrial buildings that require fire sprinklers in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code. Plans shall be reviewed, approved and permits issued by Emergency Services
		for the installation of fire sprinkler systems.
3.		Provide central station monitored fire alarm system for all residential, commercial and industrial buildings that require fire alarm system in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.
4.	\boxtimes	If required by the Fire Chief, provide on the address side of the building if applicable:
		 Fire alarm annunciator panel in weatherproof case. Knox box key entry box or system. Fire department connection to fire sprinkler system.
5.	\boxtimes	Provide temporary turn-around to current City Engineering Standard for phased construction streets that exceed 150 feet in length.

Project shall comply with all requirements in current, adopted edition of California Fire Code and Paso Robles Municipal Code.
Prior to the issuance of Certificate of Occupancy:
Final inspections shall be completed on all underground fire lines, fire sprinkler systems, fire alarm systems and chemical hood fire suppression systems.
Final inspections shall be completed on all buildings.

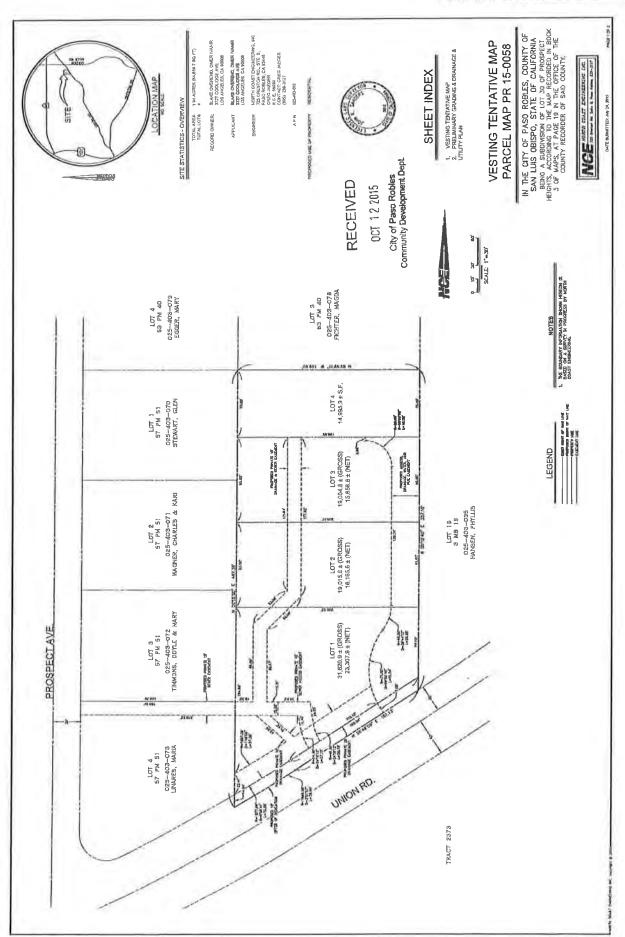


Exhibit C PR 15-0058 (Tri-West Development) 2025 Union Road

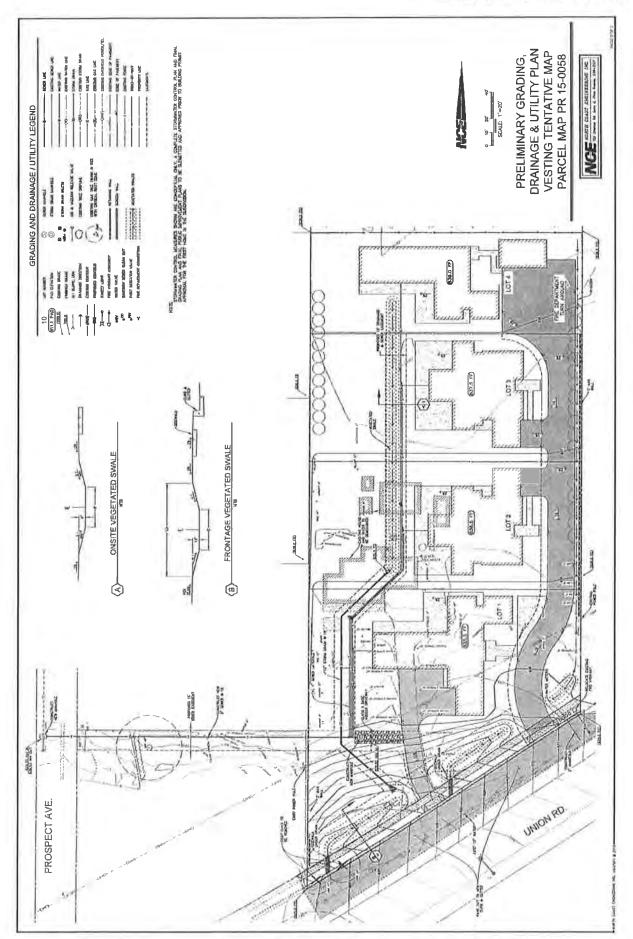


Exhibit D
Prelim. Grading / Drainage
(Tri-West Development)
2025 Union Road



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UNION HOMES PLOT PLAN 10/01/15 1" = 20'-0"

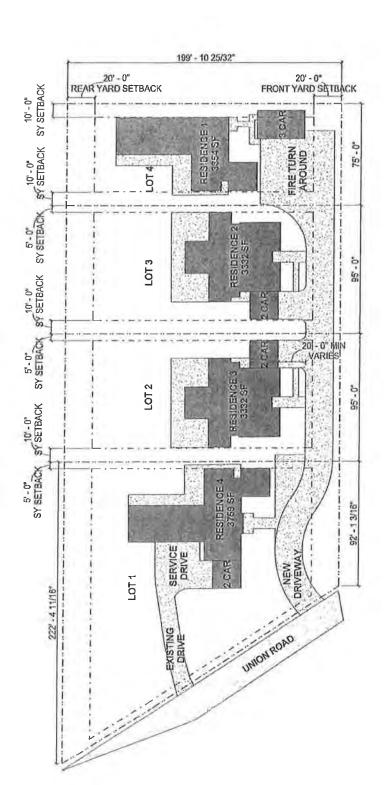


Exhibit EProposed Development Plan
(Tri-West Development)
2025 Union Road

