

RESOLUTION NO. 98-80
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
TO DENY AN APPEAL AND TO UPHOLD THE PLANNING COMMISSION'S
ACTION OF APRIL 14, 1998 TO APPROVE AN AMENDMENT
TO PLANNED DEVELOPMENT 89010 (QUAIL RUN)

WHEREAS, on April 14, 1998, the Planning Commission adopted Resolution PC 98-23 to approve an amendment to Planned Development 89010, allowing Phase 2 of Quail Run Mobile Home Subdivision to be developed in three subphases; and

WHEREAS, on April 27, 1998, Joseph Festa, a resident of Quail Run, filed an appeal of the Planning Commission's action of April 14, 1998, and stated the following concerns:

- 1. The developer should be required to install a one inch overlay of asphalt paving on all of the drive and parking areas indicated on the map labeled "Exhibit C" attached to the staff report for the April 14, 1998 Planning Commission meeting;**
- 2. A condition should be added to prohibit the developer from using the main entrance at Quail Run Drive for construction vehicles and equipment, as such use would cause damage to the existing streets; construction vehicles and equipment should be required to use an easement on the property to the east and enter the site at Blue Jay Court;**
- 3. A condition should be added to require the developer to post a bond (to the benefit of the homeowners association) for all on-site improvements; and**

WHEREAS, Fred Fischer, a resident of Quail Run, contacted City staff on May 6 and added a concern that the drainage detention basin be required to be developed like a park, rather than being fenced off; and

WHEREAS, a public hearing was conducted by the City Council on May 19, 1998, to consider the concerns expressed by Mr. Festa and Mr. Fischer and to accept public testimony regarding this proposed development plan amendment; and

NOW, THEREFORE, BE IT FOUND, by the City Council of the City of El Paso de Robles, that the Planning Commission's action of April 14, 1998 adopting Resolution PC 98-23, with regard to the concerns expressed by Mr. Festa and Mr. Fischer, was appropriate for the following reasons:

- 1. Installation of paving overlays should be limited only to those four street segments that would be impacted by construction vehicles and equipment during the development of Subphase 2A, and that all other street segments shown on the "Exhibit C" map were Phase 1 maintenance matters that had no relationship to development of Phase 2;**

2. Since it is common practice for construction vehicles to use improved City streets in other subdivisions, there is not sufficient reason to prohibit construction vehicle use of Quail Run Drive or require such vehicles to use an easement across the property to the east to Blue Jay Court;
3. Provision of a bond by the developer to ensure construction of on-site, private improvements would be prohibitively costly; the conditions of approval as stated in Resolution PC 98-23 provide adequate assurances that release of utilities for the subphases will not occur until required improvements are installed;
4. Since the Detention Basin was designed in 1978 for a 2:1 side slope, which must be fenced, it may not be feasible to redesign it to meet the unfenced standard with 4:1 slopes and maintain the same number of lots shown on the recorded map for Tract 1892;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles, does hereby deny the appeal, filed by Joseph Festa, of the Planning Commission's action of April 14, 1998 adopting Resolution PC 98-23 Approving an Amendment to Planned Development 89010 (Quail Run). Resolution PC 98-23 shall remain in full force and effect.

PASSED AND ADOPTED THIS 19th day of May, 1998 by the following Roll Call Vote:

AYES: Baron, Macklin, and Swanson

NOES: Iversen and Picanco

ABSTAIN: None

ABSENT: None


MAYOR DUANE PICANCO

ATTEST:


MADELYN PAASCH, CITY CLERK