

RESOLUTION NO. 99-38

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR TRACT 2311
(CGC Enterprises)
APN: A Portion of 009-761-012 & 009-761-07**

WHEREAS, a member of the City Council has filed an Appeal of the Planning Commission's decision on February 23, 1999, to approve Tentative Tract 2311 and Planned Development 98015 and the accompanying Negative Declaration; and

WHEREAS, Tentative Tract 2311 has been filed by Camille Politte of CGC Enterprises a proposal to subdivide an approximate 49-acre site into 72 lots for 72 single-family dwelling units; and

WHEREAS, the proposed subdivision would be located West and Southwest of Nicklaus Drive, East of South River Road, South of Niblick Road; and

WHEREAS, Planned Development 98015 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 Expanded Initial Study was prepared for this project and a mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA) was approved by the Planning Commission on February 23, 1999 via Resolution 99-___; and

WHEREAS, a public hearing was conducted by the Planning Commission on February 23, 1999, 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, a public hearing was conducted by the City Council on March 16, 1999, 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 report, public testimony received and subject to the conditions of approval listed below, the City Council makes the following findings as required by Government Code Section 66474:

1. As conditioned, the proposed tentative subdivision map is consistent with the adopted General Plan for the City of El Paso de Robles.
2. As conditioned, 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 subdivision is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

6. The design of the subdivision and types of improvements proposed are not likely to cause serious public health problems;
7. The design of the subdivision 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 City Council of the City of El Paso de Robles does hereby grant tentative map approval to Tract 2311 subject to the following conditions of this resolution:

STANDARD CONDITIONS:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution. When future applications are submitted to the City for development of the newly created lots, additional site specific conditions will apply. (Note: All checked standard conditions shall apply unless superseded by a site specific 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.

2. 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>
B-1, B-2	Tentative Tract Map
C-1, C-2, C-3	Tentative Grading Plans

3. This Tentative Tract Map 2311 and Planned Development 98015 authorizes the subdivision of approximately 49 acres into 72 single-family residential lots ranging from approximately 4,000 square feet to 16,000 square feet.
4. The maximum number of lots permitted within this subdivision/development plan shall be 72. No lots shall be eligible for further subdivision (with the exception of minor lot line adjustments) and no lots shall be permitted to be developed beyond one unit per recorded lot.
5. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map and preliminary grading plan (Exhibits B1-C3, 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.
6. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 98015 and its exhibits.

7. The Master Street Tree Plan and Typical Front Yard plans for the subdivision shall be revised to show the street trees placed in the parkways. Revised plans shall be submitted to the Planning Division for review prior to final map approval for Phase I.
8. The applicant would have the options of reversing the location of the parkway and sidewalk required by City Street Standards and installing a four-foot wide sidewalk on the side of the street opposite of the parkway in front of homes. Adding sidewalk to both sides of the street is above and beyond the requirements of the Hillside Road Standard A-8 which only requires sidewalk on one side of the street.
9. Grading of the tract shall be consistent with Hillside Grading Regulations.
10. Prior to issuance of grading permit, the applicant shall provide an Arborist Report/Oak Tree Preservation Plan to assure that the oak trees are being preserved in accordance with Chapter 10.01 of the Municipal Code, Oak Tree Preservation.
11. The tract is proposed to be built in five development phases. If the developer finds it necessary to change the phasing of the project, Planning and Engineering staff could review and approve the change in phasing. Staff determination on the appropriateness of the phasing revisions shall be based on the ability for that particular phase to "stand alone" and/or contribute as necessary to orderly development of this project and the surrounding area.
12. Prior to demolition of any structures on the site, a demolition permit shall be applied for and approved by the Building Division.
13. The following setbacks shall be applied to Tract 2311 for all lots except lots 3-9,14,15,17-20, 34, 35, 41-50, 54, 55 where the front setback maybe less than 15 feet but no less than 10 feet:

Front:	<u>15</u> feet, <u>20</u> feet to a garage door facing the street.
Interior Sides:	<u>5</u> feet minimum for each side, <u>10</u> feet for two story homes.
Street Side:	<u>10</u> feet
Rear:	<u>10</u> feet

Detached accessory buildings would need to meet the setbacks provided in Chapter 21.16I, Multiple Family Residential Districts.
14. The cul-de-sac at the end of Kenton Court shall be designed to try and save the 30" and the 20" oak trees. Proposed alternative design to save the oak trees shall be reviewed and approved by the DRC.
15. Dedication shall be provided for a nature path that would connect one of the streets to the northerly tract boundary. (Please note that the applicant would be dedicating to the city approximately 33 acres of open space which would include the area of the path).
16. Pacific Archaeological Sciences Team (PAST) conducted a study on the property and recommends that an archaeological monitoring program be conducted within the site area during the rough grading phase or other initial earth disturbing activities of the proposed development. The goal of the suggested

archaeological monitoring program is to ensure that unexpected finds are evaluated and to gather any additional artifacts which may add supplemental information to the current understanding of the site.

17. Disturbance to the blue oak woodland shall be avoided as it provides important habitat for a variety of wildlife in the area. These blue oak woodlands areas also provide a corridor for wildlife to move south and north from the project site. There is a continuity of the vegetative corridor that still occurs to the south. Animals can access the important Salinas River corridor area by going south around the currently developed areas to the west. The continuity of the oak woodland corridor on the project site shall be maintained as valuable wildlife habitat.

ENGINEERING SITE SPECIFIC CONDITIONS

1. Prior to the recordation of the Phase I map, the applicant shall eliminate the recreational vehicle parking area.
2. The applicant shall obtain approval from the City Council to remove 11 oak trees prior to the recordation of the final map wherein the proposed trees are to be removed.
3. Serenade Drive shall be constructed to Standard Drawing No. A-5 for its first 200 feet from South River Road. Hillside Road Standard A-8 may be used for the remainder section with grading deviations behind the curbs as approved by the Planning Commission.
4. Sidewalks and parkways for all other streets (other than Serenade Drive) shall be constructed at locations and at grades in accordance to the Standards and Specifications as adopted by the City Council.
5. Prior to the issuance of a grading permit, for each phase of construction, the applicant shall obtain approval from the Department of Emergency Services that the "second source" of water, and a secondary emergency access have been satisfied. Applicant shall dedicate an easement for water line purposes for the second source of water. Applicant shall install a water main within this easement connecting this tract to Brahma Circle. The secondary emergency access shall be provided via Brahma Circle as approved by the Department of Emergency Services.
6. In accordance to the Circulation Element of the City's General Plan, an approximate 120-foot wide area shall be dedicated as a public access easement south of Serenade Drive at Goodman Court.
7. Prior to the issuance of a grading permit, the applicant shall improve Nicklaus Dr. along the property frontage to City Standard A-5 with concrete curb, gutter, sidewalk, pavement, and parkway landscaping and irrigation; or provide securities to insure completion of Nicklaus Dr. improvements to the satisfaction of the City Engineer.

PHASE ONE CONDITIONS OF APPROVAL

7. Prior to the recordation of the final map, the applicant shall either provide securities to insure completion of, or install, waterlines, including fire hydrants and connect to an existing main in South River Road and to Brahma Circle.

8. Prior to the recordation of the final map, the applicant shall either provide securities to insure completion of, or construct full street improvements (including parkway landscaping, irrigation, and streetlights) for the entire length of Serenade Drive.
9. The Open Space lot shall be dedicated with the recordation of the final map.
10. Prior to the recordation of the final map, the applicant shall either provide securities to insure completion of, or install the storm drain facilities at Kenton Court and through the dedicated Open Space area. Storm drain facilities shall be designed and constructed in accordance to City Standards and Specifications.
11. Prior to the issuance of a Certificate of Occupancy, a southbound left-turn lane shall be constructed at South River Road and Serenade Drive. In addition, this intersection shall be designed in accordance to City Standards and Specifications and to the satisfaction of the City Engineer.
12. A retaining wall shall be constructed behind Lot 61 to save an existing 20-inch diameter oak tree.
13. Lot 63 shall take its access at Dorsey Court.

PHASE FOUR CONDITIONS OF APPROVAL

14. A retaining wall shall be constructed behind Lot 60 to save an existing 20-inch diameter oak trees.
15. Lot 62 shall take its access at Goodman Court.

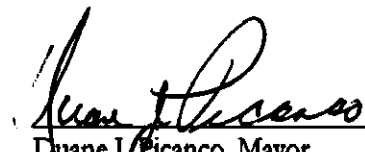
PASSED AND ADOPTED THIS 16th Day of March, 1999 by the following roll call vote:

AYES: Baron, Mecham and Swanson

NOES: Macklin and Picanco

ABSENT: None

ABSTAIN: None


 Duane J. Picanco, Mayor

ATTEST:


 Madelyn Paasch, City Clerk

RESOLUTION NO. 99-39

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
TO GRANT APPROVAL FOR PLANNED DEVELOPMENT 98015
(CGC Enterprises)
APN: A Portion of 009-761-012 & 009-761-07**

WHEREAS, a member of the City Council has filed an Appeal of the Planning Commission's decision on February 23, 1999, to approve Tentative Tract 2311 and Planned Development 98015 and the accompanying Negative Declaration; and

WHEREAS, Tentative Tract 2311 has been filed by Camille Politte of CGC Enterprises, a proposal to subdivide an approximate 49-acre site into 72 lots for 72 single-family dwelling units; and

WHEREAS, the proposed subdivision would be located West and Southwest of Nicklaus Drive, East of South River Road, South of Niblick Road; and

WHEREAS, Planned Development 98015 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 Expanded Initial Study was prepared for this project and a mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA) was approved by the Planning Commission on February 23, 1999 via Resolution 99-020; and

WHEREAS, as modifications and flexibility in zoning standards is requested by the applicant for the following:

- a. to modify the A-5, Hillside Street Standard for Serenade Drive to reduce grading and impact on oak trees; and
- b. for 18 out of the 72 lots, the applicant is asking to reduce the front yard setback from 15 feet to no less than 10 feet, and allow a 5 foot setback for two story homes; and
- c. that the requirement for tot lots be eliminated since a minimum 10 foot flat area across the entire width of the lot can be provided for each of the 72 lots, which is considerably more private open space area than the multi-family code would require; and

WHEREAS, a public hearing was conducted by the Planning Commission on February 23, 1999, 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, a public hearing was conducted by the City Council on March 16, 1999, 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 City Council 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.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby approve Planned Development 98015 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 2311 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:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A1 - A6	Elevations
B1 - B2	Street Tree Plan /Typical Front Yard Landscaping
C	Color /Materials Board

Full size plans are on file with the Community Development Department

3. This Tentative Tract Map 2311 and Planned Development 98015 authorizes the subdivision of approximately 49 acres into 72 lots ranging from approximately 4,000 square feet to 16,000 square feet for the construction of 72 single-family homes.
4. Any retaining wall, stem wall or deck three (3) feet or higher, shall be screened with landscaping. Prior to final map recordation, plans shall be submitted to show planting treatments for the retaining wall along Serenade Drive (If there are any) and the retaining wall for lots 3-8. Individual lots (besides the lots 3-8)

which have retaining walls, stem walls or decks three feet or higher, shall submit landscape treatment plans with the submittal for building permits.

5. Corner lots shall continue the landscaping treatments along the street side yard of the lot. A typical plan shall be submitted to show how front yard landscaping will be addressed for corner lots.
6. A Spanish-style home shall utilize tile roofing only. The Craftsman home may use either tile or composition roofing materials. The composition roofing material shall be a three-dimensional, architectural grade of composition.
7. For aesthetical purposes, rear yard fencing that is visible from surrounding public roads, shall utilize "plastic-coat" chain link fencing, or other "see-through fencing materials" along the rear property line. Fencing shall be shown on the building site plans for each lot, and shall be subject to staff review.
8. No two-story homes shall be placed side by side on perimeter lots.

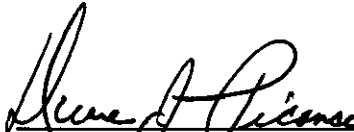
PASSED AND ADOPTED THIS 16th Day of March, 1999 by the following roll call vote:

AYES: Baron, Mecham and Swanson

NOES: Macklin and Picanco

ABSENT: None

ABSTAIN: None


Duane J. Picanco, Mayor

ATTEST:


Madelyn Paasch, City Clerk