

RESOLUTION NO.: 03-007
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
DENYING WAIVER 02-009
(RIDINO)
APN: 008-327-004 & -005

WHEREAS, Waiver 02-009 has been filed by Tim Roberts on behalf of William Ridino for the waiver of required street improvements for his property frontage on an unimproved portion of 14th Street in conjunction with an application for Tract 2435 and Planned Development 001-014, and

WHEREAS, the vacant 11,000 square foot site is located on the northeast corner of Railroad and 14th Streets, and

WHEREAS, a public hearing was conducted by the Planning Commission on December 10, 2002, to accept public testimony regarding the Tract and Planned Development applications, and the item was continued in order to include this requested waiver in the hearing process, and

WHEREAS, Section 11.12.030.D of the Municipal Code states that, in the event that construction of sidewalk is not feasible due to street locations, hardship due to fire or acts of God, topography or other physical factors, the Planning Commission, after hearing the recommendation of the City Engineer, may waive or modify the provisions of the chapters that apply to sidewalks, curb, gutters and driveway aprons, upon applications of the owner of the property or other persons to whom this chapter may apply, and

WHEREAS, the applicant is requesting approval to waive standard street improvement requirements on the 14th Street frontage of the subject parcel as required in conditions of approval for Tract 2435, and

WHEREAS, the City Engineer has determined that a waiver in this instance would not be in the best interests of the public, as the parking and circulation improvements in the downtown area are currently under review, and

WHEREAS, the City Engineer has determined that street improvements are feasible on the unimproved portion of 14th Street, and has recommended that a bond be posted for the amount of the required improvements until the best use of the property be determined, and

WHEREAS, a public hearing was conducted by the Planning Commission on January 14, 2003 consider the facts as presented in the staff report prepared for the project, and to accept public testimony regarding this requested waiver, and

NOW, THEREFORE, BE IT RESOLVED, that based upon the facts and analysis presented in the staff report, and the provisions for waivers set out in Section 11.12.030.D of the Municipal

Code, the Planning Commission of the City of El Paso de Robles does hereby deny Waiver 02-009, and require the street improvements as required in conditions of approval for Tract 2435 and Planned Development 01-014.

PASSED AND ADOPTED THIS 14th day of January, 2003, by the following Roll Call Vote:

AYES: Calloway, Ferravanti, Flynn, Johnson, Kemper, Steinbeck, Warnke

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN ED STIENBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY