

RESOLUTION NO.: 03-066

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES  
RECOMMENDING APPROVAL TO THE CITY COUNCIL OF STREET ABANDONMENT 03-002  
SEEKING TO VACATE THAT PORTION OF 12<sup>TH</sup> STREET  
BOUNDED BY PASO ROBLES STREET ON THE EAST AND HIGHWAY 101 ON THE WEST  
(NORTH COAST ENGINEERING FOR THE PROPERTY-OWNER - MR. GREGG WYATT)

WHEREAS, applications for a Street Abandonment 03-002 and for an Amendment of Conditional Use Permit 02-001 have been filed by North Coast Engineering, Inc. on behalf of the property-owner, Mr. Gregg Wyatt;

WHEREAS, the proposal is to abandon that portion of 12<sup>th</sup> Street bounded on the east by Paso Robles Street and on the west by Highway 101 and to amend the Project Conditions for Conditional Use Permit 02-001 (Automobile Repair Shop at 1123 12<sup>th</sup> Street) accordingly;

WHEREAS, the applicant is requesting abandonment of this public street on the basis that it is minimally improved in this area and is not needed for public use;

WHEREAS, 12<sup>th</sup> Street is not shown on the Circulation Element Map of the General Plan, and its abandonment would not be in conflict with the Circulation Element.

WHEREAS, these applications are categorically exempt from environmental review pursuant to Section 15301 of the State Guidelines to Implement the California Environmental Quality Act;

WHEREAS, on April 9, 2002, the Planning Commission approved Conditional Use Permit 02-001 with adoption of Resolution No. 02-025 for an Automotive Repair Shop at 1123 12<sup>th</sup> Street for the property located immediately south of 12<sup>th</sup> Street, subject to compliance with Standard and Site Specific Conditions of Approval.;

WHEREAS, Resolution No. 02-025 includes two (2) Conditions relating to 12<sup>th</sup> Street: Standard Condition F6 requiring the dedication and improvement of 12<sup>th</sup> Street and Site Specific Condition No. 7 requiring construction of a City Standard handicap ramp at the intersection of Paso Robles Street and 12<sup>th</sup> Street.

WHEREAS, if 12<sup>th</sup> Street is abandoned, the required street improvements will not be necessary and the abandoned area will continue to be used for on-site parking;

WHEREAS, the applicant initially sought abandonment of this portion of 12<sup>th</sup> Street in 1990, but it was denied by the City Council as a result of uncertainty about the right-of-way required for the widening of the 13<sup>th</sup> Street bridge;

WHEREAS, the 13<sup>th</sup> Street bridge design is essentially complete and the City will be receiving bids for its construction later this year, and it does not appear that this right-of-way has value with regard to providing additional downtown parking;

WHEREAS, at its August 26<sup>th</sup> meeting, the Planning Commission held a duly noticed public hearing, considered the facts presented in the staff report for the proposed street abandonment and amendment of Conditional Use Permit 02-001, and accepted public testimony on these applications.

WHEREAS, based on the facts and analysis presented in the staff report and the provisions of the State Streets and Highways Code, the State Planning and Zoning Law, and the City's Municipal Code for abandoning a public street and amending a Conditional Use Permit, the Planning Commission:

- Recommended to the City Council that the proposed Street Abandonment be approved subject to reservation of a public utilities easement over the entire right-of-way and subject to the requirement that Paso Robles Street be improved to City Standard A-4 with curb, gutter, and driveway approach; and
- Approved deletion of Standard Condition F6 and Site Specific Condition 7 of Conditional Use Permit 02-001 with these deletions becoming effective if the abandonment is approved.

PASSED AND ADOPTED THIS 26th day of August, 2003, by the following Roll Call Vote:

AYES: Calloway, Ferravanti, Flynn, Kemper, Steinbeck, Warnke, and Johnson  
NOES: None  
ABSENT: None  
ABSTAIN: None  
AYES:

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CHAIRMAN RON JOHNSON

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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