

RESOLUTION NO: 03-048  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
APPROVING WAIVER 03-003  
FOR 119 and 121 CAPITOL HILL DRIVE  
(Thibeault)  
APN: 009-531-024

WHEREAS, Waiver 03-003 has been filed by Larry Thibeault for the waiver of curb, gutter and sidewalk improvements for street frontage at 119 and 121 Capitol Hill Drive, and

WHEREAS, Section 11.12.030.D of the Municipal Code, states that, in the event the 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 topographical conditions at 119 and 121 Capitol Hill Drive, including location of the existing street paving and steep slopes from edge of paving adjacent to the subject property, are such that curb, gutter and sidewalk installation would be inconsistent with and detrimental to existing conditions, and

WHEREAS, the City Engineer has inspected 119 and 121 Capitol Hill Drive and recommends that the Planning Commission waive the provisions of Section 11.12.030, based on topography and physical factors inherent to this particular property, and allow the applicant to forgo the installation of required City-standard curb, gutter and sidewalk and,

WHEREAS, a public hearing was conducted by the Planning Commission on June 10, 2003, to 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 approve Waiver 03-003, waiving the requirement for public improvements for the subject site due to the topography and physical constraints of the site.

PASSED AND ADOPTED THIS 10th day of June, 2003, by the following Roll Call Vote:

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

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CHAIRMAN RON JOHNSON

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY