

RESOLUTION NO. 99-047
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE PLANNED DEVELOPMENT 99016
(HIGHWAY 101 PARTNERS)
APN: 09-631-010

WHEREAS, Section 21.23.B.030 of the Municipal Code of the City of El Paso de Robles requires approval of a development plan for rough grading of land in excess of 10,000 square feet in area, and

WHEREAS, Highway 101 Partners has filed a development plan application to rough grade an approximate 3.5 acre site in order to generate fill dirt for a neighboring property which is currently under construction, and

WHEREAS, the subject property proposed for rough grading is located west of Ramada Drive, adjacent to Highway 101 and directly north of the Highway 46 West and 101 interchange, and

WHEREAS, the Environmental Impact Report (EIR) prepared for the Target Center on Theater Drive contained environmental analysis that covered potential archaeological and biological impacts on this property in conjunction with alternatives analysis for highway on-ramp designs, which concluded that this particular project site did not contain significant cultural or biological resources (beyond the existence of the mature oak trees at its northern end), and

WHEREAS, this project is Categorically Exempt from environmental review per Section 15304 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA), and

WHEREAS, a public hearing was conducted by the Planning Commission on July 27, 1999, to consider this application, and to accept public testimony regarding this proposed development plan, 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 Planning Commission makes the following findings:

1. That the proposed Planned Development is consistent with the goals and policies established by the general plan;
2. That the proposed Planned Development is consistent with the zoning code;
3. That the proposed Planned Development will be consistent with all other adopted codes, policies, standards and plans of the city;
4. That the proposed Planned Development will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the person residing or working in the neighborhood, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city;
5. That the proposed Planned Development accommodates the aesthetic quality of the city as a whole;

6. That the proposed Planned Development is compatible with, and is not detrimental to, surrounding land uses and improvements, provides appropriate visual appearance, and contributes to the mitigation of environmental and social impacts;
7. That the proposed Planned Development contributes to the orderly development of the city as a whole.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles in its independent judgment, does hereby approve the rough grading proposed by Planned Development 99016, subject to the following conditions of approval:

1. The developer shall utilize dust control methods in a manner prescribed by the City Engineer to minimize nuisance to surrounding properties during grading.
2. The applicant shall comply with all those conditions which are indicated on "Exhibit A" to this resolution.
3. The rough grading for this site shall be in substantial compliance with the attached "Exhibit B" to this resolution.
4. The developer shall obtain a grading permit from the City of Paso Robles, to be approved by the City Engineer.
5. The developer shall utilize oak tree protection measures as determined appropriate by the City Engineer and shall preserve and protect the two mature oak trees located at the northern end of the project site at all phases of grading and development.
6. This approval is for grading only. Any future development and/or entitlement for this site are subject to future independent review and analysis.
7. The section for Ramada Drive shown on Exhibit B is not approved at this time. Street sections will be reviewed and analyzed in conjunction with any future development entitlements requested for the property.
8. The "Sewer Easement" shown on Exhibit B is not an approved location at this time. The final location of the sewer main to serve this property shall be reviewed and analyzed in conjunction with any future development entitlements requested for this property.
9. Prior to any grading occurring with the Caltrans right of way, the applicant shall show evidence that he has obtained an encroachment permit from Caltrans to allow grading on their property.
10. Prior to the issuance of a grading permit, the applicant shall submit drainage calculations to be reviewed and approved by the City Engineer. These calculations shall be prepared by a licensed engineer to confirm/verify that the storm drain facilities proposed will accommodate future development. The applicant may, at his discretion, defer the preparation of the storm drain system as shown on the plans provided he signs a release to the City that the system will be upgraded when the property is developed to accommodate future development. The release

shall be in a form to be reviewed and approved by the City Engineer and/or the City Attorney and may be required to be recorded at the County Recorder's Office.

11. Prior to the issuance of a grading permit, the applicant shall post a grading bond and enter a "Grading Restoration Agreement" with the City. Release of the grading bond is contingent upon:
- a. Hydroseeding of the slope areas
 - b. Receipt of certifications from project's civil and soils engineer and contractor that the grading work has been performed in accordance to the grading plan and the Uniform Building Code.
 - c. Receipt of a Final Compaction Report prepared by a licensed soils engineer.

PASSED AND ADOPTED THIS 27th day of July, 1999, by the following Roll Call Vote:

AYES: JOHNSON, FERRAVANTI, FINIGAN, NEMETH, STEINBECK, TASCONA,
 WARNKE

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY