

RESOLUTION NO. 99-063  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE PLANNED DEVELOPMENT 99010  
(PETE CAGLIERO)

APN: 009-814-001 & 009-761-012

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, North Coast Engineering, on behalf of Pete Cagliero, has filed a development plan application to rough grade an approximate 4.42 acre site for a future commercial development, and

WHEREAS, the subject property proposed for rough grading is located on the east side of South River Road, directly across from automotive section of Wal-Mart, and

WHEREAS, a public hearing was conducted by the Planning Commission on September 14, 1999, to consider the initial study prepared for this application, and to accept public testimony regarding this proposed environmental determination on the development plan, and

WHEREAS, a resolution was adopted by the Planning Commission approved a Mitigated Negative Declaration status for this project, and a Mitigated Negative Declaration was prepared for the proposed Planned Development application in accordance with the California Environmental Quality Act, 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 99010, 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. Prior to the issuance of a grading permit, at the applicants expense, an archeological study shall be provided.
5. Prior to the issuance of a grading permit, at the applicants expense, an biological study shall be provided.
6. The developer shall obtain a grading permit from the City of Paso Robles, to be approved by the City Engineer.
7. This approval is for grading only. Any future development and/or entitlement for this site are subject to future independent review and analysis.
8. At the time of the submittal of development plans, an application shall be submitted for the abandonment of the "Old South River Road".
9. Prior to the issuance of a grading permit, the applicant shall show evidence that he has obtained current permits from the Army Corp of Engineers and the California Department of Fish and Game to grade within the existing creek area.
10. Prior to the issuance of a grading permit, the applicant shall submit drainage calculations, prepared by a licensed civil engineer to confirm/verify that the storm drain facilities proposed will accommodate future development. These calculations shall be reviewed and approved by the City Engineer.
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 graded areas to the satisfaction of the City Engineer to prevent erosion.

- 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.
12. Final material for the proposed drainage structure shall be submitted to the City Engineer for final approval prior to installation.
13. Prior to the issuance of a grading permit, the applicant shall obtain approval from the City Council to remove three oak trees.

PASSED AND ADOPTED THIS 14<sup>th</sup> day of September 1999, by the following Roll Call Vote:

AYES: Johnson, Warnke, Nemeth, Finigan, Ferravanti, Tascona

NOES: None

ABSENT: None

ABSTAIN: Steinbeck

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VICE - CHAIRMAN GARY NEMETH

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY

H: DARREN/PD/99010/PD RES