

RESOLUTION NO: 00-022

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING WAIVER 00-001
(ROUGEOT)

APN: 008-431-001

WHEREAS, Waiver 00-001 has been filed by Jeff and Amy Rougeot for the waiver of curb, gutter and sidewalk improvements for approximately 630 feet of property frontage on 21st Street, for the 8.31 acre parcel located on the north side of 21st Street approximately 130 feet west of Almond Springs 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, at the location of where the street improvements would need to be installed, the topography drops off from 21st Street in excess of ten (10) feet along the property frontage, and

WHEREAS, at the location of where the street improvements would need to be installed, there is a significant amount of mature vegetation, including almond and oak trees, and

WHEREAS, a public hearing was conducted by the Planning Commission March 28, 2000, to consider the facts as presented in the staff report prepared for the project, and to accept public testimony regarding this requested waiver, and

WHEREAS, the proposed development of a single family residence on this 8.3 acre parcel will not generate the intensity of pedestrian or vehicular traffic that would warrant the installation of full curb, gutter and sidewalk improvements along this particular stretch of public street frontage at this time, and

WHEREAS, the waiver of public street improvements is directly related to this single family residential development proposal only, and

WHEREAS, if in the future the land use intensity for this parcel is increased through a proposed parcel split or similar legal instrument, the City will retain the ability to independently evaluate the public infrastructure needs created by such development, and

WHEREAS, the access needs for the proposed single family residence will still be required to meet driveway standards as set forth by Chapter 21.22.060C (Development Standards for Driveways), including compliance with Emergency Service access needs.

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 00-001, waiving the requirement for curb, gutter and sidewalk improvements for the subject site due to the topographical constraints of the site.

PASSED AND ADOPTED THIS 28th day of March 2000, by the following Roll Call Vote:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

CHAIRMAN GARY NEMETH

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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