

RESOLUTION NO.: 02-056
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE PLANNED DEVELOPMENT 00-027
(GARRISON)
APN: 025-501-009 & 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 20,000 square feet in area, and

WHEREAS, EMK & Associates, on behalf of Elmer Garrison, has filed a development plan application to rough grade and import approximately 25,000 cubic yards of fill dirt to a vacant 1.8 acre site, and

WHEREAS, the subject property located on the west side of North River Road, just north of North River Road, and

WHEREAS, this item is a continued open public hearing from the Planning Commission hearing on August 13, 2002 and August 27, 2002, and

WHEREAS, a public hearing was conducted by the Planning Commission on September 10, 2002, 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 and removal of dirt proposed by Planned Development 00-027, subject to the following conditions of approval:

1. The applicant shall comply with all those conditions, which are indicated on "Exhibit A" to this resolution.
2. The rough grading for this site shall be in substantial compliance with the attached "Exhibit B" to this resolution.
3. The developer shall utilize dust control methods in a manner prescribed by the City Engineer and as described in the letter from the Air Pollution Control District (attached as Exhibit C) to minimize nuisance to surrounding properties during grading.
4. If, during any future construction excavation, any buried or isolated cultural materials are unearthed, work in the affected area should stop until these materials can be examined by a qualified Archeologist and appropriate recommendations made regarding their treatment and/or disposition. Such examination should be conducted under the coordination of the City of Paso Robles.
5. Hauling activities shall commence only between the times of 9:00AM and 3:00PM.
6. Prior to the issuance of a Grading Permit, the applicant shall submit a traffic safety plan describing how flagmen will be used to control traffic during hauling.
7. The developer shall obtain a grading permit from the City of Paso Robles, to be approved by the City Engineer.
8. This approval is for grading only. Any future development and/or entitlement for this site are subject to future independent review and analysis.
9. 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.

PASSED AND ADOPTED THIS 10th day of September 2002, by the following Roll Call Vote:

AYES: Ferravanti, Warnke, McCarthy, Steinbeck, Johnson, Calloway, Kemper

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

H: DARREN/PD/00-027/PD RES