

RESOLUTION NO.: 04-0136

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES  
RECOMMENDING APPROVAL TO THE CITY COUNCIL OF STREET ABANDONMENT 04-005  
SEEKING TO VACATE THAT PORTION OF 19<sup>TH</sup> STREET  
BOUNDED BY PINE STREET ON THE WEST AND UNION PACIFIC RAILROAD ON THE EAST  
(NEWTON-MENDOZA)

WHEREAS, an application for a Street Abandonment 04-005 has been filed by Eric Newton on behalf of himself (being the adjacent property-owner to the north) and Roberta Mendoza, the adjacent property owner to the south; and

WHEREAS, the proposal is to abandon that portion of 19<sup>th</sup> Street bounded on the west by Pine Street and on the east by the Union Pacific Railroad; and

WHEREAS, the applicant is requesting abandonment of this public street on the basis that it is minimally improved in this area and is not needed for public use; and

WHEREAS, 19<sup>th</sup> Street is not shown on the Circulation Element Map of the General Plan, and its abandonment would not be in conflict with the Circulation Element; and

WHEREAS, these applications are categorically exempt from environmental review pursuant to Section 15301 of the State Guidelines to Implement the California Environmental Quality Act; and

WHEREAS, on November 23<sup>rd</sup> 2004, the Planning Commission held a duly noticed public hearing, considered the facts presented in the staff report for proposed Street Abandonment 04-005, and accepted public testimony on these applications; and

WHEREAS, based on the facts and analysis presented in the staff report and the provisions of the State Streets and Highways Code, and the City's Municipal Code for abandoning a public street, the Planning Commission:

- Recommends to the City Council that the proposed Street Abandonment be approved subject to reservation of a 40-foot water line and public utilities easement over the southerly half of the subject right-of-way.

PASSED AND ADOPTED THIS 23rd day of November, 2004, by the following Roll Call Vote:

AYES: Hamon; Johnson; Steinbeck; Flynn  
NOES: None  
ABSTAIN:  
ABSENT: Mattke; Kemper; Ferravanti

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CHAIRMAN TOM FLYNN

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY