

RESOLUTION NO: 05-0071
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING WAIVER 04-003
FOR EXPERIMENTAL STATION ROAD

(Arciero) APN: 025-391-076

WHEREAS, Waiver 04-003 has been filed by Arciero and Sons, Inc. for the waiver of curb, gutter and sidewalk improvements for street frontage on Experimental Station Road; 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, the topographic conditions along Experimental Station Road are such that curb, gutter and sidewalk installations are precluded; and

WHEREAS, the City Engineer has inspected the frontage of the Arciero property on Experimental Station Road and recommends that the Planning Commission waive the provisions of Section 11.12.030, based upon the topography of land adjacent to property along Experimental Station Road, and allow the applicant to forgo the installation of required City standard curb, gutter and sidewalk; and

WHEREAS, a public hearing was conducted by the Planning Commission on August 9, 2005, to consider the facts as presented in the staff report prepared for the project, and to accept public testimony regarding this requested waiver.

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 04-003 with the following provisions:

SECTION 1: Approve waiving the requirement for installation of curb, gutter and sidewalk adjacent to the subject site due to the topography of the Arciero property along Experimental Station Road and subject to the applicant's deposit of in-lieu fees as determined by the City Engineer, subject to the following condition:

1. Prior to the Certificate of Occupancy for the La Quinta Hotel (or the restaurant if it is ready to occupy first) a directional sign shall be placed at the point where the handicap ramp meets the sidewalk along Buena Vista, directing pedestrians who wish to cross

Buena Vista Road to the cross walk at the intersection of Buena Vista and Experimental Station.

2. Prior to the Certificate of Occupancy for the La Quinta Hotel (or the restaurant if it is ready to occupy first) a painted crosswalk shall be installed at the intersection of Buena Vista Road and Experimental Station Road.

PASSED AND ADOPTED THIS 9th day of August, 2005, by the following Roll Call Vote:

AYES: Hamon, Flynn, Johnson, Steinbeck, Holstine

NOES: Menath

ABSTAIN: None

ABSENT: Mattke

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY