

RESOLUTION NO. 5221

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD ADOPTING FINDINGS AND APPROVING CONDITIONAL USE PERMIT (CUP 2016-01) ALLOWING A PLANNED DEVELOPMENT (PD 2016-01) OF 18 RENTAL APARTMENT UNITS AND GRANTING ARCHITECTURAL APPROVAL FOR A PROPERTY LOCATED AT THE CORNER OF SAN VICENTE ROAD AND VISTA DE SOLEDAD (APN 022-451-026)

WHEREAS, the Planning Commission of the City of Soledad has received an application for a Conditional Use Permit, initiated by Guillermo & Angela Nieto Family, LP, to allow construction of a Planned Development of 18 Rental apartment units and related access, parking, landscaping, other onsite improvements, and public improvements; and

WHEREAS, the Planning Commission denied the request for the amendments at a duly noticed public hearing held on July 28th, 2016; and

WHEREAS, the applicant filed a timely appeal to request reconsideration of the project by the City Council; and

WHEREAS, a 18 unit apartment project may be permitted as a Planned Development in the "R-2 Medium-Density Multi-Family Residential District," upon approval of a Conditional Use Permit in compliance with City of Soledad Zoning Ordinance Sections 17.12.030.L, 17.12.040.C, and 17.36.020.G; and

WHEREAS, on February 1, 2017 the City Council conducted a duly noticed public hearing on the Conditional Use Permit request;

WHEREAS, the City Council has considered all public comments received, including the testimony of the applicant, and considered the separate staff reports for this item; and

WHEREAS, the City Council has independently reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Mitigated Negative Declaration prepared in December 2016 is adequate, and that no further documentation is therefore required under CEQA; and

WHEREAS, the City Council has found the proposed design, materials and color of the proposed site plan and buildings, as conditioned, to be appropriate within the context of the existing and intended use and, subject to conditions, has determined the proposed subject to be in substantial conformance with the City of Soledad Community Design Guidelines and Standards; and

WHEREAS, the City Council has determined that, subject to conditions, the proposed project complies with all applicable City plans, codes and standards.

THEREFORE, BE IT RESOLVED, that the City Council of the City of Soledad hereby approves CUP #2016-01 and Planned Development PD #2016-01 and grants Architectural Design Approval, based upon the findings and subject to conditions set forth in the **Exhibit "A,"** which is attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, that the approval of CUP 2016-01 is absolutely conditioned upon the approval of the City Council of the City of Soledad of appropriate and necessary changes to the General Plan Map and Zoning Map to allow for the proposed project, and that action to exercise this permit may not occur until such changes have approved as required by applicable law.

PASSED AND ADOPTED, at a duly noticed, adjourned regular meeting of the Soledad City Council held on February 15th, 2017, by the following vote:

AYES, and in favor thereof, Councilmembers: Christopher Bourke, Mayor Pro Tem Alejandro Chavez, Anna Velazquez and Mayor Fred Ledesma

NOES, Councilmembers: Carla Stewart

ABSENT, Councilmembers: None

ABSTAIN, Councilmembers: None



FRED LEDESMA, MAYOR

ATTEST:



MICHAEL C. McHATTEN, CITY CLERK