

RESOLUTION NO. 77- 23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST MAKING THE FINDINGS AND APPROVING CHANGE OF ZONE DISTRICT BOUNDARIES NO. 77-1, A REQUEST FOR A SPECIAL ZONING EXCEPTION TO CONSTRUCT A TAKE-OUT RESTAURANT AT 1433 NORTH DOWNS STREET.

WHEREAS, the City of Ridgcrest Planning Commission, in lieu of granting a Change of Zone District Boundaries from the Multi-Family Residential (RM-2) Zone District to the General Commercial (CG) District, recommended in Resolution No. 77-9 that a Special Zoning Exception be granted for a take-out restaurant at 1433 North Downs Street, subject to twenty-two (22) conditions as set forth in said Resolution; and

WHEREAS, on March 2, 1977, the City Council held a public hearing thereon; notice of time and place of such hearing having been given as provided by law; and

WHEREAS, the City Council has held a public hearing and considered all the testimony, plans and comments offered at the time of public hearing and recommendation of the Planning Commission:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIDGECREST RESOLVES:

A. That said Special Zoning Exception is required to achieve the objectives of the zoning ordinance, Ordinance No. 80, as prescribed in Section 102 thereof.

B. That said application and Special Zoning Exception is approved subject to the following conditions:

1. That all proposals of the applicant as indicated on the approved site plan be conditions of approval if not mentioned herein.
2. That the site be developed in accordance with the approved site plan.
3. That the applicant secure the necessary building permits.
4. That the applicant secure grading and encroachment permits.
5. That the applicant sign a Waiver of Protest for the future installation of curbs, gutters and sidewalk, and for the half-width street paving to City standards of North Downs Street.
6. That all parking and driveway areas be paved with a minimum of 2" of RMS. paving or 4" concrete.

7. That all utilities serving the project be through underground installation.
8. That eight(8) parking spaces be provided on site.
9. That all obstructions and utilities be removed or relocated at the developer's expense.
10. That the applicant secure a City Business License.
11. That the project connect to the sewer system for sewage disposal.
12. That the location of trash refuse facilities be screened from public view subject to the approval of the staff.
13. That all water facilities and fire hydrants necessary to serve the proposed project be in accordance with the Indian Wells Valley County District standards and approved by the Water District, Fire Chief, and City Engineer.
14. That street lighting be installed as recommended by Southern California Edison and approved by the City Engineer.
15. That dumpsters be provided on the site for the collection of construction debris during the time of construction.
16. That the site drain to a public street, alley or drainage easement subject to approval of the City Engineer.
17. That a landscape plan be provided.
18. That landscaping be installed and permanently maintained subject to the approved landscaping plan.
19. That any signs and lighting be constructed and installed in accordance with Ordinance No. 80 and subject to the approval of the staff.
20. That off-site sewer facility charges be paid.
21. That construction be accomplished in accordance with City standards.
22. That approval of this application does not constitute approval of a change of zone; and that approval of the use of the site as a take-out restaurant expire on February 7, 1987, at which time the site must conform to only those permitted uses allowed in the prevailing zone classification.

APPROVED AND ADOPTED this 16th day of March, 1977,  
by the following vote:

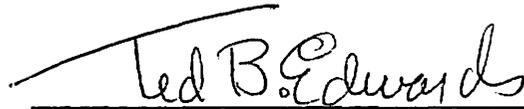
AYES: Mayor Edwards, Councilmembers Chieze, Green, Karlberg and Smith.

NOES: None.

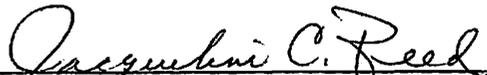
ABSENT: None.

ABSTAIN: None.

DATE:

  
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TED B. EDWARDS, Mayor

ATTEST:

  
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JACQUELINE C. REED, City Clerk