

RESOLUTION NO. 06-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST APPROVING A MITIGATED NEGATIVE DECLARATION FOR SITE PLAN 05-11 A REQUEST FOR AN 81 UNIT FAMILY HOUSING COMPLEX (81 UNITS AND 1 COMMUNITY CENTER) LOCATED AT 340 SOUTH DOWNS STREET (AP #477-030-24) : APPLICANT: AMG AND ASSOCIATES

THE CITY COUNCIL OF THE CITY OF RIDGECREST RESOLVES as follows:

SECTION 1. FINDINGS

On November 22, 2005, the Planning Commission duly and regularly reviewed the potential for the environmental impact of SPR 05-11 a request for an 81 unit family housing complex (81 units and 1 community center) located at 340 South Downs Street (AP# 477-030-24), applicant: AMG and Associates.

The Commission considered the initial study and evaluation and denied the certification and filing of a Negative Declaration based upon the findings that:

- (a) While the project is in compliance with zoning regulations and procedures,
- (b) while the project is in conformity with the applicable elements of the General Plan, and
- (c) while the design of the project will not cause substantial environmental damage or substantially injure fish or wildlife or their habitats,
- (d) inadequate evaluation was made regarding an assessment of traffic impacts and a subsurface soils study was not prepared.

On January 18, 2006, the City Council duly and regularly reviewed the potential for the environmental impact of SPR 05-11, a request for an 81 unit family housing complex (81 units and 1 community center) located at 340 South Downs Street (AP# 477-030-24), applicant: AMG and Associates.

The City Council considered the initial study and evaluation and approved the certification and filing of a Negative Declaration based upon the findings that:

- (a) The project is in compliance with zoning regulations and procedures,
- (b) the project is in conformity with the applicable elements of the General Plan,

- (e) the design of the project will not cause substantial environmental damage or substantially injure fish or wildlife or their habitats,
- (f) an amended traffic report was prepared and a subsurface soils study is being required as a condition of the Site Plan approval.

SECTION 2. ENVIRONMENTAL CERTIFICATION

The City Council hereby adopts and certifies a Negative Declaration for the project with these mitigation measures:

1. All mitigation measures identified within the *Phase I Environmental Site Assessment Report* and its Appendices shall be met, and
2. All conditions contained in "Exhibit A", including a subsurface soils report shall be met prior to issuance of a permit to grant occupancy.

The City Council authorizes and instructs the City Clerk to file a Notice of Determination as required by law.

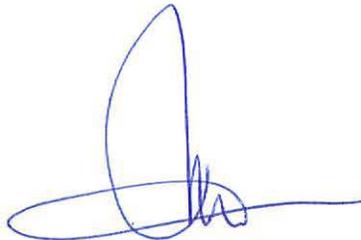
APPROVED AND ADOPTED this 18th day of January 2006 by the following vote:

AYES: Mayor Holloway, Council Members Martin and Morgan

NOES: Council Member Carter

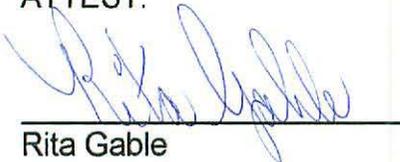
ABSENT: None

ABSTAIN: Council Member Clark



Marshall "Chip" Holloway, Mayor

ATTEST:



Rita Gable
City Clerk

Exhibit A

NOTE: These conditions must be met within 18 months (July 18, 2007), or as stipulated in the conditions, unless a written request for an extension of time is received before the expiration date.

COMMUNITY DEVELOPMENT

"The below conditions have been satisfied" By _____ Date _____

1. The applicant shall comply with all applicable federal, state, county, and local regulations.
2. Any signs provided on the site shall be installed in accordance with applicable sections of Chapter 20.
3. One hundred ninety-eight (198) paved parking spaces (10' x 20'-doubled striped standard size /15% is allowed to be compact size) shall be provided to City standards.
4. Dust mitigation measures shall be utilized during construction.
5. Landscaping plans shall be submitted prior to development for review and approval by the Planning Department and landscaping shall be installed prior to issuance of the Certificate of Occupancy. Landscaping shall be maintained in an acceptable manner. Planters shall not drain into parking areas so as to accumulate mud and other unsightly residue. Fence design shall be submitted and approved by staff prior to construction. All onsite exterior lighting shall be hooded and directed on-site.
6. The developer shall be subject to a community impact fee (fee structure under development) for off site improvements.

PUBLIC WORKS ENGINEERING DEPARTMENT

Engineered plans are required for street improvements and site grading and drainage. All plans shall be approved by the City prior to commencing construction.

8. The City Council authorizes and instructs the City Clerk to file a Notice of Determination as required by law. The project shall construct curb, gutter and sidewalk on Downs Street adjacent to the project frontage.
9. Street paving shall be constructed to an approved match line with existing paving. A 3:1 pavement transition shall be constructed at the south end of the project.

10. Street lights shall be constructed on the project frontage and shall meet the approval of the City as to lumen size and location.
11. The project shall connect to City sewer and public utilities.
12. All work in the Public right of way shall be done to City standards.
13. Prior to any work on the project all licenses and permits shall be acquired by the Developer and or their agents.
14. The existing project site appears to drain naturally to the northeast, offsite drainage easements and improvements shall be required if the project site drainage drains to the northeast.
15. Recommendations regarding striping of left turn pockets on Downs Street as set forth in a traffic study conducted by Cornerstone Engineering shall be incorporated into the final plans.
16. An on-site subsurface soils study must be prepared by a licensed geologist; all remedial steps, (if identified by the study), must be taken prior to issuance of building permits.

KERN COUNTY FIRE DEPARTMENT

17. The applicant shall provide site plans approved by the Kern County Fire Department to the City of Ridgecrest Community Development Department. All conditions required by the fire department shall be incorporated into this resolution.