

RESOLUTION NO.: 01-065

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF PASO ROBLES
GRANTING A MITIGATED NEGATIVE DECLARATION STATUS
FOR PLANNED DEVELOPMENT 01-002
(APPLICANT: PRO FORMS, INC.)

WHEREAS, Pro Forms, Inc. has filed Planned Development 01-002, which is a proposal to construct an approximate 22,000 square foot industrial expansion on an approximate 2.3 acre industrially designated site located on the northeast corner of Commerce Way and Scott Street, and

WHEREAS, the applicant's expansion includes the re-routing of on-site circulation and the addition of a secondary driveway access at Scott Street, and

WHEREAS, the applicant's proposal includes parking and circulation improvements that encroach and utilize portions of a City owned parcel that is developed and utilized as a storm drainage channel, and

WHEREAS, on July 3, 2001 the City Council authorized the applicant to file and process Planned Development 01-002 with the parking and circulation improvements shown on City owned property with the contingency that the terms of any long term use of said area shall return for independent City Council consideration, and

WHEREAS, an Initial Study was prepared for this project (attached and on file in the Community Development Department) which concludes and proposes that a Mitigated Negative Declaration be approved; and

WHEREAS, Public Notice of the proposed Mitigated Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, a public hearing was noticed for Planning Commission consideration on August 14, 2001 and on August 14, 2001 the Planning Commission opened and continued the noticed hearing to their regular meeting of August 28, 2001 to allow the applicant time to complete plan revisions discussed at a Development Review Committee meeting, and

WHEREAS, written notice of the August 28, 2001 Planning Commission meeting was mailed to property owners within a 300 foot radius of the Proforms Inc. project area, and

WHEREAS, on August 28, 2001 the Planning Commission conducted a public hearing and considered testimony from numerous persons both in favor and raising project concerns which resulted in an action to continue the open public hearing to the Commission's regular meeting of

September 11, 2001 to allow the applicant time to demonstrate whether design alternatives are feasible (or other measures to address the concerns raised at the public meeting), and

WHEREAS, the applicant's representatives have submitted additional project details that specially address concerns raised by the public regarding drainage, parking, noise and privacy, and

WHEREAS, at their continued hearing of September 11, 2001 the Planning Commission considered additional public testimony, the written materials and analysis presented at the meeting and the environmental initial study prepared for the project, and

WHEREAS, the applicant has entered into a signed Mitigation Agreement with the City of Paso Robles (prior to Planning Commission action on the Negative Declaration) that establishes obligation on the part of the property owner to mitigate potential future impacts as identified within the environmental document; and

WHEREAS, based on the information contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the Planning Commission finds no substantial evidence that there would be a significant impact on the environment based on the attached Mitigation Agreement (Exhibit A) and its attached Mitigation Summary Table that are also described in the initial study and contained in the resolution approving PD 01-002 as site specific conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, based on its independent judgment, to approve a Mitigated Negative Declaration for Planned Development 01-002 in accordance with the California Environmental Quality Act.

PASSED AND ADOPTED THIS 11th day of September, 2001 by the following roll call vote:

AYES: CALLOWAY, JOHNSON, MCCARTHY, NICKLAS, STEINBECK, TASCONA

NOES: NONE

ABSENT: NONE

ABSTAIN: WARNKE

CHAIRMAN RON JOHNSON

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY