

RESOLUTION NO.: 01-103
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING A MITIGATED NEGATIVE DECLARATION FOR
PLANNED DEVELOPMENT 01-007
(Hwy 101 LLC / Jim Aiken)
APN: 009-631-015 & 009-631-014

WHEREAS, Planned Development PD 01-007 has been filed by Jim Aiken on behalf of Highway 101 LLC, for the development of two new 5,000 square foot commercial buildings, located on Ramada Drive, just west across Ramada Drive from the new Paris Precision building, and

WHEREAS, the sites are zoned M, PD, according to Section 21.16A of the Zoning Code, in the PD overlay zone a development plan is required to be reviewed and approved by the Planning Commission, and

WHEREAS, it does appear that Alternative 8, the conceptual plan for the interchange at Rte.101/46W would interfere with the subject sites, and

WHEREAS, since there is not an adopted plan line or determination that Alternative 8 would be applied as an adopted design, the City can not delay development of property, and

WHEREAS, with regards to water and sewer facilities to serve the subject area, the Public Works Department has determined that the sewer and water projections for the two buildings would not have a significant impact on the infrastructure in the area, and

WHEREAS, since the Environmental Initial Study was completed on October 24, 2001, Associated Traffic Engineers (ATE) has informed the City that the initial traffic study was incorrect in its determination of the PM Peak Hour Level of Service at the SH-46/Ramada Drive intersection for the scenario including all of the projects (McDonalds/Chevron and Hampton Inn), and;

WHEREAS, the revised analysis indicates that the peak hour level of Service is a "C" given the existing geometrics and lane configurations, not a D (with mitigation) as initially portrayed, and

WHEREAS, given that the peak hour level of service is a "C", environmental mitigation would only need to be the requirement to not protest the future assessment district for the interchange, and

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

WHEREAS, based on the information contained in the Initial Study prepared for this development plan application, the proposed mitigation measures, the mitigation contract

signed by the applicant, the staff report, and testimony received as a result of the public notice, the City, using its own independent judgement, finds that all potentially significant effects of the project on the environment can and will be avoided or mitigated to a level of insignificance by:

1. Imposing the specified mitigation measures on future development; and
2. Compliance with the Mitigation Contract that allows for further, development specific, CEQA review.”

WHEREAS, a public hearing was conducted by the Planning Commission on November 13, 2001, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed project, and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve a Mitigated Negative Declaration for Planned Development 01-007 subject to the applicant complying with the following mitigation measures contained in the Resolution approving Planned Development 01-007:

<u>Condition No.</u>	<u>Topic of Mitigation</u>
PD 01-007 Resolution:	
4	Transportation

PASSED AND ADOPTED THIS 13th day of November, 2001, by the following roll call vote:

AYES: Nicklas, McCarthy, Warnke, Johnson, Tascona, Calloway

NOES: Steinbeck

ABSENT: None

ABSTAIN: None

CHAIRMAN RON JOHNSON

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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