

RESOLUTION NO.: 03-096

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PASO ROBLES, ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM FOR PLANNED DEVELOPMENT 02-015, CONDITIONAL USE PERMIT 02-026, AND TENTATIVE PARCEL MAP PR 02-0321 FOR A PROPOSED MULTI-TENANT RETAIL CENTER AND SELF-STORAGE FACILITY (THEATRE DRIVE – JAMES PANKEY)

APN: 009-851-001

WHEREAS, Planned Development 02-015 has been filed by John Knight, Principal Planner with RRM Design Group for Prime Commercial Real Estate and the Rosetti Company on behalf of the property-owner, Mr. James H. Pankey to construct and operate an approximately 101,650 square foot retail center and mini-storage facility; and

WHEREAS, in conjunction with Planned Development 02-015, two (2) additional applications have been filed: (a) Conditional Use Permit 02-026, seeking authorization to operate the retail center and mini-storage facility in the C2 PD (Highway Commercial, Planned Development) Zoning District; and (b) Tentative Parcel Map PR 02-0321, subdividing the site into four (4) individual lots; and

WHEREAS, the approximately 8.3-acre project site is located on the west side of Theatre Drive, immediately south of the Target Center; and

WHEREAS, the General Plan Land Use Designation of this site is Regional Commercial (RC) and it is in the Highway Commercial, Planned Development Overlay Zoning District (C2, PD); and

WHEREAS, the Planned Development would establish the site plan, development standards, architectural theme, landscaping, and required infrastructure for the site; and

WHEREAS, the Conditional Use Permit would allow for operation of the multi-tenant retail center if found not to have a significant adverse effect on the economic vitality of Downtown Paso Robles; and

WHEREAS, the Tentative Parcel Map would subdivide the site into four (4) individual lots.

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

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

WHEREAS, at its December 9, 2003 meeting, the Planning Commission held a duly noticed public hearing on the proposed Theatre Drive retail center and mini-storage facility, to accept public testimony on the Planned Development, Conditional Use Permit, Tentative Parcel Map, and environmental review therefor; and

WHEREAS, the applicant has entered into a signed Mitigation Agreement with the City of Paso Robles (prior to Planning Commission action on the Mitigated Negative Declaration and Mitigation Monitoring Program) that establishes obligation on the part of the property owner to mitigate identified environmental

effects as set forth therein, most notably with regard to the interim mitigation measures for vehicular traffic related impacts of pending development project applications within the geographic area of the Highway 46 West/Highway 101 Interchange; and

WHEREAS, based on the information and analysis contained in the Initial Study prepared for this project and the testimony received as a result of the public notice, the Planning Commission finds that there is no substantial evidence of a significant impact on the environment as a result of development and operation of the proposed Theatre Drive retail center and mini-storage facility. This finding is based on the signed Mitigation Agreement and the Mitigation Summary Table of the Initial Study, as summarized below.

Topic of Mitigation	Condition #
Aesthetic	5
Traffic and Circulation	9 & 10
Air Quality (Short and Long Term)	11

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, based on its independent judgment, does hereby adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for Planned Development 02-015, Conditional Use Permit 02-026, and Tentative Parcel Map PR 02-0321 in accordance with the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA.

PASSED AND ADOPTED THIS 9<sup>th</sup> day of December, 2003 by the following roll call vote:

AYES: Flynn, Warnke, Ferravanti, Johnson, Steinbeck, Kemper  
NOES: None  
ABSENT: Calloway  
ABSTAIN: None

\_\_\_\_\_  
CHAIRMAN RON JOHNSON

ATTEST:

\_\_\_\_\_  
ROBERT A. LATA, PLANNING COMMISSION SECRETARY