

RESOLUTION NO.: 04-033

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
ADOPTING A NEGATIVE DECLARATION
TENTATIVE TRACT 2358, PLANNED DEVELOPMENT 04-004 & REZONE 03-009
(PETERSON/FRANKLIN)
APN: 008-641-020 & 021

WHEREAS, Tract 2358, an application filed by Wilson Land Surveys on behalf of Robert and Joan Peterson and Harry and Karen Franklin, to divide two parcels of approximately 2.87 acres site into seven (7) individual lots located at 723 Rolling Hills Road; and

WHEREAS, in conjunction with Tract 2358, the applicant submitted an application for Rezone 03-009, to establish Planned Development Overlay zoning over the site; and

WHEREAS, with PD Overlay zoning (PD 04-004), the applicant is requesting the Planning Commission allow the reduction of the side yard setbacks to 5-feet for Lot 5 and, 6 and Lots 1 and 7 (existing homes) for the street side yard setback in relation to the new street; and

WHEREAS, the subject site is located in the RSF- land use category and R-1, zoning district; and

WHEREAS, the applicant proposes to create seven lots, ranging in size from 9,545 square feet to 39,445 square feet; and

WHEREAS, the two existing houses would remain and be located on newly created Lots 1 and 7; and

WHEREAS, all lots, with the exception of Lots 1 and 7 which is accessed from Rolling Hills Road, would be accessed from a new paved cul-de-sac street; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, at its March 23, 2004 meeting, the Planning Commission held a noticed public hearing on the proposed subdivision and planned development, to accept public testimony on the proposal (including all of the applications filed) and the environmental determination therefor; and

WHEREAS, public notice of intent to adopt a Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, based on the information and analysis contained in the Initial Study and the attachments thereto on file in the Community Development Department), a determination has been made that the proposed Tract 2558, Rezone 03-009 and PD 04-004 qualifies for adoption of a Negative Declaration.

NOW, THEREFORE, the Planning Commission of the City of El Paso de Robles, using its independent judgment and analysis, does hereby:

1. Find and determine that the proposed project will not have a significant impact on the environment. This finding and determination was made based upon the substantial evidence presented at the public hearing, including the whole record before the Planning Commission (including the Initial Study, the Staff Report and attachments thereto, and any public comments or testimony received thereon).
2. Adopt a Negative Declaration for the proposed subdivision and Planned Development.

PASSED AND ADOPTED THIS 23rd day of March, 2004, by the following roll call vote:

AYES: Steinbeck, Ferravanti, Kemper, Matke

NOES: Johnson, Hamon, Flynn

ABSENT: None

ABSTAIN: None

CHAIRMAN TOM FLYNN

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY