

RESOLUTION NO.: 04-046

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR
PLANNED DEVELOPMENT 03-006
(BENNY SIMONS)

APN: 009-633-016

WHEREAS, Planned Development 03-006 has been filed by Benny Simons to construct a 6,000 square foot building where there would be 4,400 square feet of warehouse space, and 1,600 square feet of office space; and

WHEREAS, the subject site is located on the 21,400 square feet site located at 1331 Vendels Circle;

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 April 13, 2004 meeting, the Planning Commission held a duly noticed public hearing on the project, to accept public testimony on the proposal (including all of the applications filed) and the environmental determination therefore; and

WHEREAS, public notice of intent to adopt a Mitigated 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 (on file in the Community Development Department), and the fact that the applicant has signed the mitigation agreement for the interim improvements as well as the agreement not to protest the future assessment district for the future PSR, a determination has been made that the proposed project qualifies for adoption of a Mitigated 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 Simons 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 Mitigated Negative Declaration for the proposed Planned Development.

PASSED AND ADOPTED THIS 13th day of April, 2004, by the following roll call vote:

AYES: Mattke, Steinbeck, Flynn, Johnson, Ferravanti, Hamon

NOES: None

ABSENT: Kemper

ABSTAIN: None

CHAIRMAN TOM FLYNN

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY