

RESOLUTION NO.: 05-0032

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PASO ROBLES
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR
PLANNED DEVELOPMENT 04-027, PARK STREET
APPLICANT – BYRON DAVIS**

(APN 008-041-426)

WHEREAS, Planned Development 04-027 has been filed by Byron Davis; and

WHEREAS, Planned Development 04-027 is a proposal to construct an 18-unit multi-family development; and

WHEREAS, the General Plan land use designation is Residential Multiple Family Medium Density and the Zoning Ordinance district is Apartment (R-3), 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 and a Draft Mitigated Negative Declaration was prepared and circulated for public review and comment; and

WHEREAS, no public comments or responses were received in regard to the Draft Mitigated Negative Declaration and Initial Study; and

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

WHEREAS, a public hearing was conducted by the Planning Commission on April 26, 2005 to consider the Initial Study, the proposed Mitigated Negative Declaration prepared for the proposed project, and to accept public testimony on the Planned Development and environmental determination; and

WHEREAS, based on the information and analysis contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the Planning Commission finds that there is no substantial evidence that there would be a significant impact on the environment as a result of the development and operation of the proposed project. This finding is based on the Mitigation Monitoring Program included in the General Plan Environmental Impact Report and mitigation measures included in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, based on its independent judgment, that it does hereby adopt a Negative Declaration for Planned

Development 04-027 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 26th day of April, 2005, by the following roll call vote:

AYES: Commissioners – Flynn, Holstein, Mattke, Hamon, Johnson, Menath, and Chair
Steinbeck
NOES: Commissioners – None
ABSENT: Commissioner - None
ABSTAIN: Commissioners - None



CHAIRMAN ED STEINBECK

ATTEST:



ROBERT A. LATA, PLANNING COMMISSION SECRETARY

Mitigation Measures

- MM1** To mitigate exterior and interior noise levels, construct an 8 foot high solid masonry wall along eastern perimeter boundary of property. Wall shall be constructed and approved by the Community Development Director prior to occupancy of the first structure.
- MM2** To mitigate interior noise levels, incorporate building construction requirements for all proposed residential units, as listed in Attachment 1. Notice regarding train noise impacts shall be disclosed to all tenants of this project in English and Spanish.