

RESOLUTION NO: 06-027

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING A MITIGATED NEGATIVE DECLARATION FOR
PLANNED DEVELOPMENT 97-013 & TENTATIVE TRACT 2778
(ERSKINE)
APN: 025-431-022, 041 & 025-421-48, 49 & 50

WHEREAS, Tract 2778 has been filed by McCarthy Engineering on behalf of Tom Erskine to subdivide a 47-acre property into 20 lots ranging in size from 1-acre to 3-acre parcels, for business park development; and

WHEREAS, 19-acres of the 47-acre site is currently a portion of Tract 2269 (Lots 20 & 21), Tentative Tract 2778 would resubdivide the 19-acres along with the 28-acre portion to create a 20 lot subdivision; and

WHEREAS, Tract 2778 is located at the eastern end of Wisteria Lane; and

WHEREAS, in conjunction with the Tract 2778, Planned Development 97-013 Amendment has been submitted to establish development standards for the business park; and

WHEREAS, since the existing 19-acres is currently a portion of the existing business park (Tract 2269), and was fully evaluated when the development was originally proposed and once again in the EIR for the City's updated Circulation and Land Use Elements in 2003, and since the 19-acre portion had received project entitlements through a Planned Development (PD 97-013) to build a business park, the request to resubdivide the approved development would have no impact since no new development, or increased development intensity would result; and

WHEREAS, based on the above determination, the project would not exceed the 40-acre threshold for being considered a "project of statewide, regional, or area wide significance"; and

WHEREAS, an Initial Study was prepared for this project (attached as Exhibit A) which concludes and proposes that a Mitigated Negative Declaration be approved; and

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

WHEREAS, a public hearing was conducted by the Planning Commission on April 25, 2006 to consider the Initial Study prepared for this application, and to accept public testimony regarding this proposed environmental determination, and

WHEREAS, the applicant has entered into a signed Mitigation Agreement with the City of Paso Robles (prior to Planning Commission action on the Negative Declaration) that establishes obligation on the part of the property owner to mitigate potential future impacts as identified within the environmental document; and

WHEREAS, based on the information contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the Planning Commission finds no substantial evidence that there would be a significant impact on the environment based on the attached Mitigation Agreement and mitigation measures described in the initial study and contained in the resolution approving Tentative Tract 2778 as site specific conditions summarized below.

Topic of Mitigation	Condition #
Kit Fox	17
Traffic and Circulation	25-28
Airport Related	18-22
Biological	14

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, based on its independent judgment, to approve a Mitigated Negative Declaration for Planned Development 97-013 Amendment and Tentative Tract 2778 in accordance with the California Environmental Quality Act; and

PASSED AND ADOPTED THIS 25th day of April, 2006, by the following roll call vote:

AYES: Steinbeck, Menath, Holstine, Withers, Hamon

NOES: None

ABSENT: Flynn

ABSTAIN: None

CHAIRMAN JOHN HAMON

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY