

RESOLUTION NO: 07-076

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF PASO ROBLES
ADOPTING A MITIGATED NEGATIVE DECLARATION
FOR PLANNED DEVELOPMENT 06-025 AND CONDITIONAL USE PERMIT 06-013
GOLDEN HILL ROAD/HIGHWAY 46/DALLONS ROAD
APNs: 025-391-037, --038, -039, -063, AND -067
APPLICANT – REGENCY CENTERS**

WHEREAS, an application for Planned Development 06-025 and Conditional use Permit 06-013 has been filed by Regency Centers; and

WHEREAS, Planned Development 06-025 and Conditional use Permit 06-013 is a proposal to construct a regional commercial shopping center approximately 300,000 s.f. in area including retail and restaurant land uses; and

WHEREAS, the project is consistent with the General Plan land use designation Commercial Services (CS) with an Airport Overlay over a portion of the property, and the Zoning District Commercial/Light Industrial, 2006 Economic Strategy, and the Commercial/Industrial Design Guidelines; 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, public comments were received from the San Luis Obispo County Air Pollution Control District, in regard to the Draft Mitigated Negative Declaration (MND) and Initial Study and all feasible and appropriate air quality mitigation measures have been incorporated into the Mitigation Measures for Construction and Operational Phases for this project to reduce potential air quality impacts that may result from this project; and

WHEREAS, the City of Paso Robles adopted a Statement of Overriding Considerations for the 2003 General Plan Update Environmental Impact Report, including air quality impacts, and the proposed project is consistent with the applicable land use designation and zoning district, therefore no further air quality analysis and associated mitigation measures shall be required to address air quality impacts; and

WHEREAS, mitigation measures have been incorporated into the MND to address potential air quality, traffic, biological, aesthetic and cultural impacts that may result from this project to mitigate potential impacts to a less than significant level as provided in Exhibit A, Mitigation Measures Summary; and

WHEREAS, Public Notice of the proposed Draft MND was posted as required by Section 21092 of the Public Resources Code; and

WHEREAS, a public hearing was conducted by the Planning Commission on August 14, 2007 to

consider the Initial Study, the proposed MND prepared for the proposed project, and to accept public testimony on the Planned Development, Conditional Use Permit, 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.

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 Mitigated Negative Declaration for Planned Development 06-025 and Conditional Use Permit 06-013, 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 28th day of August, 2007, by the following roll call vote:

AYES: Commissioners – Treach, Withers, Peterson, Steinbeck, Johnson, and Chair Holstine

NOES: Commissioner - Flynn

ABSENT: None

ABSTAIN: None

CHAIRMAN HOLSTINE

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY