

COUNCIL RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES APPROVING AND AUTHORIZING EXECUTION OF AN OWNER PARTICIPATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF EL PASO DE ROBLES AND WOODLAND PLAZA II, AND MAKING FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH AND APPROVING AND AUTHORIZING RELATED ACTIONS

WHEREAS, the Redevelopment Agency of the City of El Paso de Robles (the "Agency") is carrying out the Redevelopment Plan (the "Redevelopment Plan"); for the Paso Robles Redevelopment Project (the "Redevelopment Project"); and

WHEREAS, in 1992, the City of El Paso de Robles (the "City") received an application from Halferty Development Company ("Halferty") for the development in phases of a regional shopping center (the "Retail Center") on certain real property consisting of approximately 39 acres (the "Site") located within the boundaries of the Redevelopment Project (the "Project Area"); and

WHEREAS, on August 8, 1992, the Planning Commission of the City (the "Planning Commission") adopted Resolution PC 92-049, certifying the completion and adequacy of the Final EIR regarding the proposed Regional Center, and on October 6, 1992, the City Council adopted Resolution CC 92-163 upholding the Planning Commission's action; and

WHEREAS, on November 10, 1992, the Planning Commission recommended approval of a proposed rezoning of the Site to accommodate development of the Retail Center project, and on December 1, 1992, the City Council adopted Ordinance 648 N.S. amending the municipal zoning code and approving such rezoning; and

WHEREAS, on December 22, 1993, the Planning Commission adopted Resolutions PC 92-072, PC 92-073, PC 92-074 and PC 92-075, approving the environmental findings, planned development, conditional use permit and parcel map regarding the proposed Retail Center, and on January 19, 1993, the City Council adopted Resolutions CC 93-09, CC 93-10, CC 93-11 and CC 93-12 upholding the Planning Commission's actions; and

WHEREAS, Halferty submitted a request to the Agency for assistance in financing the costs for construction of certain related regional public infrastructure improvements (the "Public Infrastructure Improvements") to be provided as part of the Retail Center project;



Mello-Roos Financing District or other similar financing district, in connection with specified Public Infrastructure Improvements to be provided by the Participant in connection with the development of the Retail Center. The City Council hereby finds and determines:

(a) That such financial assistance by the Agency is fair and reasonable and that without such financial assistance the Retail Center could not be developed by the Participant on economically feasible terms and, consequently, would not be developed by the Participant;

(b) That the Public Infrastructure Improvements, including the Mello-Roos Improvements and the Additional Improvements (as defined in the OPA), in which costs the Agency is participating are of benefit to the project area or the immediate neighborhood in which the project is located and that no other reasonable means of financing the costs of the Public Infrastructure Improvements is available to the community; and

(c) That the provision of streets, sidewalks, utilities or other improvements by the Agency, in whole or in part, for the development of the Retail Center is necessary to effectuate the purpose of the Redevelopment Plan, and the Agency is hereby authorized to provide such improvements.

**Section 3.** The City Council has fully considered the Final EIR for the Retail Center project and the findings and determinations and statements of overriding considerations contained in the previous approvals relating to the Retail Center project, identified above in the third, fourth and fifth paragraphs of this Resolution (collectively, the "Previous Approvals"), and has determined that no subsequent changes are proposed in the Retail Center project and no substantial changes have occurred with respect to the circumstances under which the Retail Center project is to be undertaken and no information of substantial importance has become available which will require revisions to the Final EIR due to the involvement of new significant environmental impacts or new information of substantial importance not previously considered in the Final EIR or in the Previous Approvals relating to the Retail Center project, and that no subsequent or supplemental EIR is necessary or required; and that the proposed OPA will have no significant environmental impacts except as identified and considered in the Final EIR and the Previous Approvals relating to the Retail Center project. The City Council hereby readopts and incorporates herein the findings, determinations and conditions of approval and statements of overriding considerations contained in Planning Commission Resolutions PC 92-072, PC 92-073, PC 92-074 and PC 92-075, adopted on December 22, 1993, and City Council Resolutions CC 93-09, CC 93-10, CC 93-11 and CC 93-12, adopted on January 19, 1993, approving the environmental findings, planned development, conditional use permit and parcel map relating to the Retail Center project, and Ordinance 648 N.S., approving the rezoning of the Site. The City Council further

finds that all mitigation measures and conditions of approval included in such Previous Approvals have been incorporated in the project set forth in the OPA.

**Section 4.** The approvals and findings contained in this Resolution are based on the proposed OPA and documents and testimony submitted in connection therewith, and on all prior actions and approvals of the City of El Paso de Robles with respect to the approval of the Retail Center project, and actions in implementation thereof, all of which are incorporated by reference into the record before the City Council.

PASSED AND ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 1993, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## ADDENDUM

### CITY COUNCIL AGENDA

JULY 6, 1993; 7:30 PM

**PASO ROBLES SCHOOL DISTRICT BOARD ROOM; 800 NIBLICK ROAD**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

*all present*

INVOCATION

ROLL CALL Councilmembers Jim Heggarty, Walt Macklin, Steve Martin, Duane Picanco, & Mayor Chris Iversen

PUBLIC HEARINGS

5. Woodland Plaza II Owner Participation Agreement (R. Ramirez, City Manager)

Request for Redevelopment Agency participation in the Woodland Plaza II development.

At the Conclusion of the Public Hearing, Consider OPTIONS:

*4/1 Wm JH DP-NO*

a) Adopt Agency Resolution No. RA \_\_\_\_\_, Authorizing Chairman & Executive Director to execute an Owner Participation Agreement by & Among the Redevelopment Agency of El Paso de Robles, Woodland Plaza II, & Richard J. Woodland & Patricia D. Woodland, as co-trustees of the Richard J. Woodland & Patricia D. Woodland Trust.

*4/1 Wm JH DP-NO*

b) Adopt Council Resolution No. \_\_\_\_\_, Authorizing Chairman & Executive Director to execute an Owner Participation Agreement by & Among the Redevelopment Agency of El Paso de Robles, Woodland Plaza II, & Richard J. Woodland & Patricia D. Woodland, as co-trustees of the Richard J. Woodland & Patricia D. Woodland Trust.

c) Amend, modify or reject the option above.

*Sec 3 2nd line pg 3 of res.*

ACTION:

MOTION:

SECOND:

*both A+B Wm JH 4/1 DP-NO*

ROLL CALL VOTE