

RESOLUTION NO.: 02-043

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING A MITIGATED NEGATIVE DECLARATION FOR
PLANNED DEVELOPMENT 02-003 and CONDITIONAL USE PERMIT 02-009
(Food 4 Less)
APN: 009-571-020

WHEREAS, Planned Development 02-003 has been filed by SKW & Associates on behalf of Food 4 Less (Milt Souza), to construct an approximate 52,400 square foot Food 4 Less grocery store, an approximate 18,400 square foot Drug Store and approximately 20,000 square feet of other retail uses including fuel sales with the possibility of a accessory car wash, and

WHEREAS, in conjunction with PD 02-003 an application for Conditional Use Permit 02-009 has been filed to ensure that the proposed land uses will not have a significant adverse effect on the economic vitality of the downtown as required by Ordinance 568 N.S., and

WHEREAS, the project would be located on the existing vacant 9-acre site on the northeast corner of Creston Road and Sherwood Road, and

WHEREAS, the applicant is also seeking approval of a design that would accommodate a possible drive through use that would be subject to a separate Conditional Use Permit and would also require approval of a zone change or code amendment, either of which would be separate applications, and

WHEREAS, public notice of the proposed Negative Declaration was given as required by Section 21092 of the Public Resources Code, and

WHEREAS, based on the information contained in the Initial Study prepared for this development plan applications, the proposed mitigation measures, the mitigation contract signed by the applicant, the staff report, and testimony received as a result of the public notice, the City, using its own independent judgement, finds that all potentially significant effects of the project on the environment can and will be avoided or mitigated to a level of insignificance by:

1. Imposing the specified mitigation measures on future development; and
2. Compliance with the Mitigation Contract that allows for further, development specific, CEQA review.”

WHEREAS, a public hearing was conducted by the Planning Commission on August 13, 2002, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed project, and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve a Mitigated Negative Declaration for Planned Development 02-003 & Conditional Use Permit 02-009, subject to the applicant complying with the following mitigation measures contained in the Resolution approving Planned Development 02-003 & Conditional Use Permit 02-009:

<u>Condition No.</u>	<u>Topic of Mitigation</u>
PD 02-003 Resolution: 19-42	Air Quality
CUP 02-009 Resolution: 4-15	Noise

PASSED AND ADOPTED THIS 13th day of August 2002, by the following roll call vote:

AYES: Ferravanti, Warnke, Steinbeck, Johnson, Calloway, Kemper

NOES: None

ABSENT: McCarthy

ABSTAIN: None

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

darren\pd\02-003Food4Less\ND res