

RESOLUTION NO.: 03-025
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING A MITIGATED NEGATIVE DECLARATION FOR
PLANNED DEVELOPMENT 02-004 AND CONDITIONAL USE PERMIT 02-007
(Pfeil Murrell Enterprises, Inc.)
APN: 025-391-040

WHEREAS, Planned Development 02-004 and Conditional Use Permit 02-007 have been filed by Pfeil Murrell Enterprises, Inc. to construct a gas station/ convenience store complex of approximately 8,300 square feet with ancillary uses and a 16,500 building pad for future use, and

WHEREAS, the proposed project would be built on the vacant 1.7 acre parcel located on the northwest corner of Golden Hill Road and Highway 46 East, within Subarea E of the Borkey Area Specific Plan, and

WHEREAS, Planned Development 02-004 has been filed to meet Section 21.23B.030 of the Zoning Code, which requires Planning Commission approval of a development plan for base zones which are in the planned development district, and

WHEREAS, Conditional Use Permit 02-007 has been filed to meet the requirements of Table 21.16.200.F.15 of the Zoning Ordinance and Resolution No. 96-35 establishing design parameters for Highway-Oriented signs in the Golden Hill Road/Highway 46 East Highway Sign District. These documents establish the requirements for Planning Commission approval of a Conditional Use Permit for development of a gas station and carwash and the placement of a highway oriented pole sign, and

WHEREAS, an Initial Study was prepared for this project (on file with the Community Development Department) and a Mitigated Negative Declaration was prepared in accordance with the California Environmental Quality Act, and

WHEREAS, the Initial Study identified the following environmental topics as having the potential for significant impacts as a result of this project:

- Air Quality
- Water
- Transportation/Circulation
- Hazards
- Aesthetics

WHEREAS, the Initial Study identified a series of environmental mitigation measures that are contained in the conditions of approval for the proposed project, and when implemented, the Initial Study concludes these measures will reduce said impacts to a less than significant level, 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 application, 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 judgment, 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 November 12, 2002, to open the public hearing and continue this item to the January 14, 2003 meeting, and

WHEREAS, a public hearing was conducted by the Planning Commission on January 14, 2003, to open the public hearing and continue this item to the February 11, 2003 meeting, and

WHEREAS, a public hearing was conducted by the Planning Commission on February 11, 2003 to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed negative declaration for a Planned Development and associated Conditional Use Permit, 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 02-004 and Conditional Use Permit 02-007 subject to the applicant complying

with the following mitigation measures contained in the Resolutions approving Planned Development 02-004 and Conditional Use Permit 02-007:

<u>Condition No.</u>	<u>Topic of Mitigation</u>
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Planned Development 02-004 Resolution:

7, 31-39	Air Quality
25, 27, 28	Water
5, 10-12, 17, 18, 20, 21	Transportation/Circulation
15, 27, 28	Hazards
16, 26	Aesthetics

PASSED AND ADOPTED THIS 11th day of March, 2003, by the following roll call vote:

AYES: FLYNN, STEINBECK, FERRAVANTI, KEMPER, WARNKE, JOHNSON

NOES: NONE

ABSENT: CALLOWAY

ABSTAIN: NONE

CHAIRMAN RON JOHNSON

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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