

RESOLUTION NO: 07-0014

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
ADOPTING A MITIGATED NEGATIVE DECLARATION  
ADDRESSING TRACT 2796 & PD 06-023  
(GENE BARRE)  
APN: 009-770-004

WHEREAS, Tentative Tract 2796 has been filed by Pam Jardini on behalf of Gene Barre to subdivide an approximate 2.5-acre site into 5 single family residential lots with 1 open space lot; and

WHEREAS, the site is located on the northeast corner of South River Road and Charolais; and

WHEREAS, the existing General Plan Land Use designation of the site is RSF-2 (Residential Single Family, two units per acre), and the existing zoning is R1, B3-PD (Residential Single Family, 20,000 square foot minimum lot size within the Planned Development Overlay District); and

WHEREAS, Planned Development 06-023 has been filed in conjunction with this tentative map request 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 (overlay) district; and

WHEREAS, as provided for by Section 21.16A of the Zoning Code for project within the PD Overlay District, the applicant is requesting the Planning Commission allow for reduced lot sizes in order to reduce the amount of grading necessary to construct the development as well as reduce the impacts to oak trees; and

WHEREAS, the applicant is also requesting as part of the approval of Tract 2796 and PD 06-023 for the Planning Commission to allow the use of a private driveway to serve the 5 lots; 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 was prepared and circulated for public review and comment; and

WHEREAS, at its February 13, 2007 meeting, the Planning Commission held a duly noticed public hearing on the project, to accept public testimony on the proposal (including all of the applications filed) and the environmental determination therefore; and

WHEREAS, public notice of intent to adopt a Mitigated 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 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 measures described in the initial study and contained in the resolution approving PD 06-023 as site specific conditions summarized below.

Topic of Mitigation	Condition #
Biological (Oak Tree)	8

PASSED AND ADOPTED THIS 13<sup>th</sup> day of February, 2007, by the following roll call vote:

AYES: Steinbeck, Treach, Menath, Johnson, Withers, Flynn, Holstine  
NOES: None  
ABSENT: None  
ABSTAIN: None

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CHAIRMAN MARGARET HOLSTINE

ATTEST:

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RON WHISENAND, PLANNING COMMISSION SECRETARY