

City of El Paso de Robles

RESOLUTION NO: 90-187
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 90009
(JAMES GOODLOE - PASO MOBILES)

WHEREAS, James Goodloe (Paso Mobiles) has filed an application to add auto sales to an existing mobile home sales business located at 201 Spring Street; and

WHEREAS, a public hearing was conducted by the Planning Commission on August 28, 1990, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this project proposal; and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received, the Planning Commission made certain findings and denied the conditional use permit application; and

WHEREAS, subsequent to the Planning Commission's action to deny the application for a conditional use permit, the applicant filed an appeal; and

WHEREAS, a public hearing was conducted by the City Council on November 6, 1990 to consider the appeal and to accept public testimony regarding this project proposal; and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions of approval listed below, the City Council finds that the establishment, maintenance or operation for the requested use or building applied for, will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso De Robles does hereby approve Conditional Use Permit 90009 subject to the following conditions:

CONDITIONS TO BE IN COMPLIANCE AT ALL TIMES:

1. This conditional use permit (CUP) authorizes the operation of mobile home and automobile sales and display.
2. Outside storage of materials, other than automobiles or mobile homes, shall not be permitted under this Conditional Use Permit approval.

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3. This Conditional Use Permit shall be reviewed annually by the Planning Commission for compliance with the conditions of approval.

4. Any condition imposed by the Planning Commission in granting this conditional use permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the conditional use permit.

5. The site shall be kept in a neat manner at all times, and landscaping shall be maintained in viable condition.

STANDARD CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO OCCUPANCY OF AUTO SALES USE:

(These standard conditions shall be implemented as applicable with Site-specific conditions superseding standard conditions)

PUBLIC WORKS:

6. The applicant shall pay the following fees prior to building permit issuance: Engineering plan checking, Construction Inspection and any outstanding annexation fees for public safety impact and bridge development.

7. Approval of this project does not guarantee availability of sewer service. Availability of service for each lot to be determined on a first come, first serve basis at the time of application for a building permit.

8. All improvement plans shall be prepared by a Registered Civil Engineer and shall be submitted to the City Engineer for approval. The improvements shall be designed and placed to City of Paso Robles standards and specifications.

9. A Preliminary Soils Report shall be prepared for the property to determine any subsurface problems and shall make recommendations regarding grading of the proposed site. A final report shall be made prior to the final inspection and shall certify that all grading was inspected and approved and that all work was done according to the plans and preliminary report.

10. The applicant shall submit a composite utility plan signed as approved by a representative for each public utility.

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11. The applicant shall install all utilities (sewer, water, gas, electricity, cable TV, and telephone) underground. Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground.
12. All utilities shall be extended to the boundaries of the project, unless waived by the City Engineer.
13. All underground construction shall be completed and approved before paving the streets.
14. All property corners shall be staked for construction control and shall be promptly replaced if destroyed.
15. A complete Grading and Drainage Plan shall be included with the improvement plans. Drainage calculations shall be submitted with provisions made for on-site retention if adequate disposal facilities are not available.
16. All top soil removed shall be stockpiled and evenly distributed over all lots and slopes upon completion of rough grading. All graded areas shall be protected by hydroseeding or approved equal. Soil conservation measures shall be maintained during construction to prevent drainage, erosion, or other damage to adjacent property.
17. When exterior retaining walls necessary for the creation of building pads are shown on the Grading Plan, all such walls shall be completed before approval of the rough grade and prior to issuance of any building permits.
18. No buildings will be occupied until all required/scheduled public improvements are completed and accepted by the City Engineer and accepted by the City Council for maintenance.
19. The applicant shall plant approved street trees, per landscaping plan to be approved by the Architectural Review Committee, throughout the project within the easement provided.
20. The applicant shall install all necessary street name and traffic signs as well as all necessary traffic striping.
21. A blackline clear Mylar (0.4 MIL) copy and a blueline print of as-built improvement plans, signed by the registered engineer who prepared said plans, shall be provided to the City Engineer prior to the Final inspection.
22. The applicant shall construct curbs, gutters, sidewalks and paving (to make a smooth transition from the lip of the gutter to the centerline of the street) along all public street frontages as required by Municipal Code Sections 11.12.031 and 11.20.040.

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23. All existing Oak trees shall be preserved for those reasons specified in Ordinance no. 553 (Oak Tree Preservation).

24. Prior to paving any street or issuance of any building permits, the water and sewer systems shall successfully pass a pressure test. The sewer system shall also be tested by means of a mandrel and televised inspection. A copy of the video tape shall be provided to the City for records.

FIRE DEPARTMENT

25. Fire hydrants, both off-site and on-site, shall be installed as required by the Fire Chief.

SITE SPECIFIC CONDITIONS:

PUBLIC WORKS DEPARTMENT

26. The applicant shall set back the curb and gutter and sidewalk along Spring Street in accordance with the City Adopted Master Circulation Plan. This shall include reconstruction of the curb returns including the spandrel and handicap ramps at these locations. This work shall be completed by the applicant in conjunction with City's Spring Street widening project.

27. The applicant shall reconstruct the alley along the westerly property frontage to include standard alley approaches at each end. Special design considerations will be required in the areas which endanger Oak tree survival, per the City's oak tree Preservation Ordinance. It is envisioned that permeable interlocking paving blocks would be necessary under the dripline of the Oak trees. This work shall be completed by the applicant in conjunction with City's Spring Street widening project.

28. The applicant shall underground all existing utilities along this property frontage on Spring Street. This work shall be completed by the applicant in conjunction with City's Spring Street widening project.

29. The applicant shall install two City Standard street lights along Spring Street. This work shall be completed by the applicant in conjunction with City's Spring Street widening project.

COMMUNITY DEVELOPMENT DEPARTMENT

30. All improvements, including landscaping and irrigation systems, approved by the Architectural Review Committee, shall be installed prior to commencement of the automobile sales use. At a minimum such landscape should include:

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- o 15 feet along the Spring Street frontage;
- o 3 feet minimum along both the 2nd and 3rd Street frontages;
- o Interior landscape islands as necessary to soften the visual and heat buildup impacts of the parking and display areas.

31. The applicant shall keep all display areas setback a minimum of 15 feet in order to insure compliance with the intent of the City's zoning ordinance.

32. If the applicant displays 12 or more used vehicles, a detailed parking and circulation plan shall be submitted for review by the Architectural Review Committee. This plan shall include a minimum of six paved parking stalls, (including one handicapped stall) and a paved surface shall be installed for all auto display areas as well as areas necessary for parking lot circulation.

PASSED AND ADOPTED THIS 6th day of November, 1990 by the following roll call vote:

AYES: Russull, Reneau and Martin
NOES: Iversen
ABSENT: None
ABSTAIN: Picanco


CHRISTIAN E. IVERSEN, MAYOR

ATTEST:


JERRY BANKSTON, CITY CLERK

NOTE: Any judicial review of this decision must be made within the time set forth in Code of Civil Procedure Section 1094.6.

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