

City of El Paso de Robles

RESOLUTION NO: 91-33
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
DENYING CONDITIONAL USE PERMIT 90021
(WILLIAMS BROTHERS MARKETS INC.- PYLON SIGN)

WHEREAS, the Williams Brothers Markets, Inc., has filed an application for a conditional use permit to authorize the construction of a pole sign (approximately 10 feet wide and 22 feet high), that would identify four tenants and the center's name, located at 1191 Creston Road; and

WHEREAS, the subject property is zoned C-1 and the Zoning Code requires that pole signs (freestanding signs higher than 10 feet and larger than 50 square feet) are subject to approval of a Conditional Use Permit in the C-1 zone; and

WHEREAS, at its meeting of January 8, 1991, the Planning Commission conducted a public hearing on this conditional use permit and found that the establishment, maintenance or operation for the requested use or building applied for, would, 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 based on the following facts:

1. That the subject property is situated at a prominent elevation and it and its existing building-mounted signs are easily visible from Creston Road and from numerous properties on the east side of the City, making a pole sign unnecessary and contributory to a negative visual appearance;

2. That the City has experienced cumulative negative visual impacts as a result of a pattern of pole signs on commercial properties; and

WHEREAS, at its meeting of January 8, 1991, based on the above findings, the Planning Commission denied this application for a conditional use permit; and

WHEREAS, the applicant has filed an appeal of the Planning Commission's action to the City Council; and

WHEREAS, at its meeting of April 2, 1991, the City Council conducted a public hearing to consider the applicant's appeal, the action of the Planning Commission and public testimony.

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NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso De Robles does hereby find that the establishment, maintenance or operation for the requested use or building applied for, would, 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 based on the following facts:

1. That the subject property is situated at a prominent elevation and it and its existing building-mounted signs are easily visible from Creston Road and from numerous properties on the east side of the City, making a pole sign unnecessary and contributory to a negative visual appearance;

2. That the City has experienced cumulative negative visual impacts as a result of a pattern of pole signs on commercial properties.

BE FURTHER IT RESOLVED, that, based on the preceding findings, the City Council of the City of El Paso De Robles does hereby uphold the Planning Commission's decision to deny Conditional Use Permit 90021.

PASSED AND ADOPTED THIS 2nd day of April, 1991 by the following roll call vote:

AYES: Russell, Reneau, Picanco, Martin and Iversen


NOES: None

ABSTAIN: None

ABSENT: None


MAYOR CHRISTIAN E. IVERSEN

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.

COLLEEN\CUP\90021CC.RES