

RESOLUTION NO: 95-89

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 95007
(BARNEY SCHWARTZ PARK)
APN: 25-371-09

WHEREAS, Conditional Use Permit 95007 has been filed in conjunction with Planned Development 95003 to authorize the construction and use of an approximate 40 acre site located on the south side of Union Road, 1500 feet east of its intersection with Highway 46 East, for use as a public recreational park with ballfields, snack bar, parking lot and other recreational amenities, and

WHEREAS, a public hearing was conducted by the Planning Commission on May 8, 1995 and June 12, 1995 and by the City Council on May 16, 1995, June 20, 1995, and July 18, 1995, to consider the facts presented in the staff report prepared for this project, and to accept public testimony regarding this project proposal, and

WHEREAS, a resolution was adopted by the City Council granting a Negative Declaration status for this project, and a Negative Declaration was prepared for the proposed project in accordance with the California Environmental Quality Act, and

WHEREAS, based upon the facts and analysis presented, and public testimony received, the City Council finds that, subject to the conditions of approval listed below, that the establishment, maintenance and operation for the requested use 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 95007 subject to the following conditions:

1. The site shall be developed and maintained in accordance with the approved plans (as shown in the resolution approving Planned Development 95003) and applicable provisions of the Zoning Code.
2. The project operation shall be required to comply with the general performance standards for all uses required by Municipal Code Section 21.21.040.
3. The site shall be kept in a neat manner at all times, and landscaping shall be continuously maintained in a healthy and thriving condition.

4. Any condition imposed by the City Council in granting this conditional use permit may be modified or eliminated, or new conditions may be added, provided that the City Council 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. If not exercised, this use permit will expire on the same date as Planned Development 95003.

PASSED AND ADOPTED THIS 18th day of July, 1995 by the following roll call vote:

AYES: HEGGARTY, PICANCO, IVERSEN, MARTIN, MACKLIN

NOES: NONE

ABSENT: NONE



MAYOR WALTER J. MACKLIN

ATTEST:



RICHARD J. RAMIREZ, CITY CLERK