

RESOLUTION NO: 96-90
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE AN AMENDMENT TO CONDITIONAL USE PERMIT 95007
(BARNEY SCHWARTZ PARK)
APN: 25-371-09

WHEREAS, on July 18, 1995, the City Council adopted a resolution approving Conditional Use Permit 95007 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, an amendment to the Planned Development 95003 was filed for the expansion of development and recreational amenities within the 40 acre park to include four (4) soccer fields, three (3) tennis courts and related additional support/recreational buildings and parking in addition to the initially approved four (4) ballfields, and

WHEREAS, a proposal to amend Conditional Use Permit 95007 was filed concurrently with the amendment to Planned Development 95003 to keep the project descriptions and use of the site consistent with current development plan approvals, and

WHEREAS, a public hearing was conducted by the Planning Commission on June 24, 1996 and by the City Council on July 16, 1996, 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 an Amendment to 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 the amendment to 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 16th day of July, 1996 by the following roll call vote:

AYES: Heggarty, Iversen, Martin, Picanco, and Macklin

NOES: None

ABSENT: None

ABSTAIN: None


MAYOR WALTER J. MACKLIN

ATTEST:



RICHARD J. RAMIREZ, CITY MANAGER / CITY CLERK

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