

**TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION**

**FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR**

**SUBJECT: CONDITIONAL USE PERMIT 08-007 / 1324 VENDELS CIRCLE, SUITE 101  
APN: 009-633-028 (APPLICANT: MID-STATE CUSTOM CYCLES)**

**DATE: NOVEMBER 12, 2008**

Needs: For the Planning Commission to consider a request to establish a motorcycle repair shop located at 1324 Vendels Circle, Suite 101.

Facts:

1. The property is located at 1324 Vendels Circle, Suite 101.
2. The site's General Plan designation is Business Park (BP), and it is zoned as Manufacturing – Planned Development Overlay (M-PD), which is consistent with the General Plan designation.
3. Table 21.16.200 of the Zoning Code requires the approval of a Conditional Use Permit (CUP) to establish motorcycle repair shops in the Manufacturing Zoning District.
4. As described within the attached project description, the applicant proposes a motorcycle repair shop and the ancillary activities of selling parts and clothing. The applicant is proposing to use approximately 680 square feet for retail, approximately 2,000 square feet for the repair shop, and also include a small office, break room, and restroom in the existing unit space.
5. The proposed use is proposed in an existing industrial building in a Manufacturing zoning district and would not increase any trips than what was previously anticipated. Therefore, the use would not significantly impact operations at highways 46 west and 101 interchange.
6. The site has 53 existing parking spaces. The existing parking will not be impacted by the proposed use.
7. The Development Review Committee (DRC) review the proposed use during its October 27, 2008 meeting and did not see any potential problems with the use at the proposed location. The DRC recommends the Planning Commission approve this Conditional Use Permit.

Analysis  
and

Conclusion: The purpose of a Conditional Use Permit is to review certain uses that could potentially impact adjacent properties. The proposed use is in an existing manufacturing/industrial building and zoning area where similar uses are permitted that are comparable in noise and hours of operation.

With conditions of approval the City has the ability to regulate potential impacts that could result from this use. The proposed CUP for a motorcycle repair shop and associated activities appear reasonable at this location, and would not result in land use compatibility nuisances to surrounding businesses or properties such as noise, loitering, or other disturbances. Conflicts with the adjacent land uses should be rare occurrences due to the fact that it is an industrial area with similar type of work.

Zoning Code §21.22.040(E)(4) states that automobile service businesses require three spaces for each maintenance stall. The proposed location has one roll up door in the back where the proposed motorcycle maintenance will take place thus requiring three spaces. The retail portion of the business is required to provide three spaces as well bringing the total required to six spaces. The site currently has an existing 53 parking spaces. When the remaining of the 17,440 square feet of building is parked at one space per 500 square feet (manufacturing industries) 35 spaces are required, therefore the proposed use would not impact the existing 53 parking spaces.

The proposed use is not anticipated to impact the 46 West and 101 interchange because it is likely that the proposed use will create less or the same amount of trip generation than the previously approved tenant, Macera Appliance, which sold and serviced new and used appliances.

The General Plan calls for clean and attractive businesses and industries in which all activities are conducted indoors in the BP land use category. The proposed use will be conducted completely indoors of an existing industrial building. To approve the CUP the Commission would need to make the findings that the proposed motorcycle repair shop would be compatible with the surrounding uses.

Policy

Reference: Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance, Economic Strategy and CEQA.

Fiscal

Impact: None.

Options:

After opening the public hearing and taking public testimony, the Planning Commission is requested to take one of the actions listed below:

- a. Adopt the attached Resolution approving Conditional Use Permit 08-007; or
- b. Amend, modify, or reject the above-listed action.

Attachments:

1. Applicant's Project Description
2. Vicinity Map
3. Site Plan
4. Resolution to Approve the Conditional Use Permit 08-007
5. Newspaper and Mail Notice Affidavits

## MID-STATE CUSTOM CYCLES

### Business Description

Mid-State Custom Cycles is a motorcycle repair shop, specializing in the repair and service of Harley Davidson motorcycles.

At Mid-State Custom Cycles, Jake Dayton is the owner, mechanic, and customer service representative, assisted by Stephanie Dayton, whom does the bookkeeping, and at this time, Mid-State Custom Cycles does not have any employees.

Mid-State Custom Cycles services, repairs and maintains motorcycles for its customers, which consists of; regular maintenance, including fluid changes, tire repairs and replacements, parts sales and largely diagnosing and repairing mechanical problems on motorcycles.

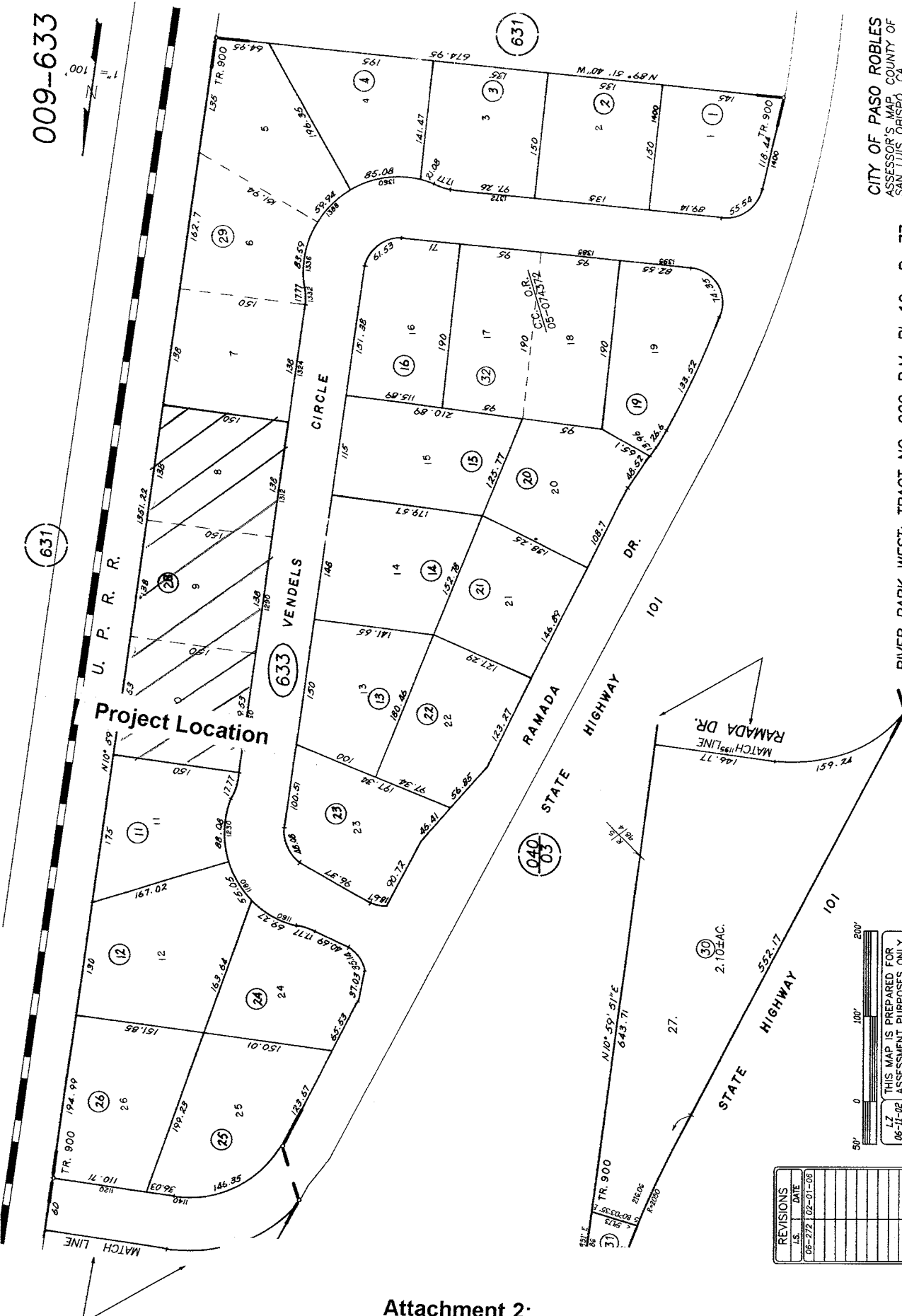
Lastly, Mid-State Custom Cycles sells apparel; shirts, hats, beanies, helmets etc., and miscellaneous items; stickers and all types of motorcycle accessories.

Paso Robles

001 10 2008

Planning Division

009-633



CITY OF PASO ROBLES  
 ASSESSOR'S MAP COUNTY OF  
 SAN LUIS OBISPO, CA  
 BOOK 009 PAGE 633

RIVER PARK WEST; TRACT NO. 900, R.M. Bk. 10, Pg. 77.

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REVISIONS	I.S.	DATE
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 THIS MAP IS PREPARED FOR  
 L2 ASSESSMENT PURPOSES ONLY.  
 06-11-02

Attachment 2:  
 Vicinity Map



RESOLUTION NO: \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
APPROVING CONDITIONAL USE PERMIT 08-007  
AT 1324 VENDELS CIRCLE, SUITE 101  
APPLICANT: MID-STATE CUSTOM CYCLES  
APN: 009-633-028

WHEREAS, Table 21.16.200 of the City of El Paso de Robles' Zoning Code requires approval of a Conditional Use Permit for motorcycle repair in the M-PD zone; and

WHEREAS, the applicant, Mid-State Custom Cycles, has proposed a Conditional Use Permit to establish motorcycle repair shop and ancillary activities of selling parts and clothing at 1324 Vendels Circle, Suite 101; and

WHEREAS, the proposed use is compatible with the surrounding land uses, and it will not significantly impact traffic congestion at the Highway 46 West and 101 interchange; and

WHEREAS, a public hearing was conducted by the Planning Commission on November 12, 2008, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this Conditional Use Permit; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15301 Existing Facilities, Class 1 of the State's Guidelines to Implement CEQA; 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 Planning Commission makes the following finding:

1. The Planning Commission finds that the establishment, maintenance or operation of the motor cycle repair shop will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the vicinity of the proposed use.
2. The Planning Commission finds that the proposed motorcycle repair shop will not be injurious or detrimental to property and improvements in the area or to the general welfare of the City because it shall comply with all applicable zoning, building and municipal codes.
3. By allowing the use, the Planning Commission finds that proposed motorcycle repair shop meets the General Plan Business Park land use category by encouraging new industry to locate in the City and stay within the City while conducting all of its activities indoors which allows for clean and attractive businesses.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 08-007 subject to the following conditions:

1. This Conditional Use Permit (CUP) authorizes the use of a motorcycle repair shop and ancillary activities of selling parts and clothes.
2. 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.
3. This CUP shall be reviewed by staff after six months from date of operation at which time staff will report back to the Planning Commission on whether the business is being conducted in compliance with the applicable conditions and if there have been any problems, complaints, or nuisances reported to the City. In the event that it is determined during this review that a nuisance has resulted from the use, the Planning Commission may direct that a public hearing be scheduled to consider the Conditional Use Permit.
4. Prior to commencing the operation of the business, the applicants shall obtain Building Permits for any tenant improvements and comply with all required Building and Fire Codes related to the proposed change in use.
5. All business signage (including temporary signs) shall comply with the City Sign Ordinance. A sign permit shall be approved prior to installation of any business signs.
6. Prior to the issuance of a Certificate of Compliance/opening of the business, all of the Departments involved (Building, Fire, Police & Planning) shall ensure that all of the conditions of approval listed in this resolution have been satisfied.
7. All motorcycle repair work and storage of motorcycles, parts, and materials shall be conducted and/or stored indoors.

PASSED AND ADOPTED THIS 12<sup>th</sup> day of November 2008, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIRMAN ED STEINBECK

ATTEST:

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RON WHISENAND, PLANNING COMMISSION SECRETARY

**AFFIDAVIT**  
**OF MAIL NOTICES**  
**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Mathew Fawcett, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Conditional Use Permit 08-007 (Jake Dayton – 1324 Vendels Circle, Suite 101) on this 28th day of October 2008.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed:   
Mathew Fawcett

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**Attachment 5:**  
**Affidavits**



THE *Newspaper of the Central Coast*  
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In The Superior Court of The State of California  
In and for the County of San Luis Obispo  
AFFIDAVIT OF PUBLICATION

AD #6773389  
CITY OF PASO ROBLES

STATE OF CALIFORNIA,  
ss.  
County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit; OCTOBER 29, 2008 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

  
(Signature of Principal Clerk)

DATED: OCTOBER 29, 2008  
AD COST: \$70.14

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider Conditional Use Permit 08-007, a request filed by Jake and Stephanie Dayton, to establish a motorcycle repair shop and the ancillary activities of selling parts and clothing. The shop is proposed to be located at 1324 Vendels Circle, Suite 101.

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, November 12, 2008, at which time all interested parties may appear and be heard.

Comments on the proposed Conditional Use Permit may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the hearing.

If you challenge the Conditional Use Permit application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

Mathew Fawcett, Assistant Planner  
October 29, 2008

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