

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE PERMIT 09-003
825 RIVERSIDE AVE., UNIT 11 / APN: 009-157-015
APPLICANT – GOODWILL INDUSTRIES

DATE: OCTOBER 13, 2009

Needs: For the Planning Commission to review the 6-month update of the Goodwill store located at 825 Riverside Avenue, Unit 11.

Facts:

1. On April 14, 2009 the Planning Commission adopted Resolution 09-016 approving a Conditional Use Permit to allow for a donation drop-off facility for Goodwill Industries.
2. Condition No. 8 of the resolution requested that Staff report back to the Planning Commission to determine if the business is operating in compliance with applicable Conditions of Approval.

Analysis
and

Conclusion: Staff has visited the site on a few different occasions and it appears that all conditions have been met, including signage prohibiting after hours drop-offs and the installation of security cameras. Additionally, the City has not received any complaints from neighbors regarding the Goodwill business.

Options: After the review of this item, the Planning Commission is requested to take one of the actions listed below:

- a. Receive and file this Memo.
- b. Amend, modify, or reject the above-listed action.

Attachments:

1. Resolution 09-016

RESOLUTION NO.: 09-016

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING CONDITIONAL USE PERMIT 09-003
825 RIVERSIDE AVE., UNIT 11
APPLICANT: GOODWILL INDUSTRIES
APN: 009-157-015

WHEREAS, Section §21.16.200 of the City of El Paso de Robles' Zoning Code requires approval of a Conditional Use Permit to establish a donation drop-off for secondhand merchandise in the C-2 zoning district; and

WHEREAS, the applicant, Goodwill Industries, has proposed a Conditional Use Permit to establish a donation drop-off for secondhand merchandise located at 825 Riverside Ave., Unit 11; and

WHEREAS, the proposed use is compatible with the surrounding land uses and will not result in land use impacts on surrounding uses, nor will surrounding uses negatively impact the proposed donation drop-off facility; and

WHEREAS, a public hearing was conducted by the Planning Commission on April 14, 2009, 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 finds that the establishment, maintenance or operation of the requested bar 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, or be injurious or detrimental to property and improvements in the area or to the general welfare of the City.

WHEREAS, the project is consistent with the adopted codes, policies, standards and plans of the City; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 09-003 subject to the following conditions:


1. This Conditional Use Permit (CUP) authorizes the use of donation drop-off for secondhand merchandise. All donations shall be stored indoors.
2. The floor plan shall be in substantial compliance with Exhibit A: Floor plan.

EXHIBIT	DESCRIPTION
A	Proposed Floor Plan

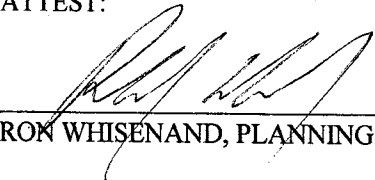
3. Any condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. 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.
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. The applicant shall install interior and exterior security cameras prior to approval of a Business License for this business.
7. Outdoor storage of donations or other materials shall be prohibited. Any donations dropped off outdoors (illegally) during off-business hours shall be removed within 24 hours of the illegal drop off.
8. The Planning Commission shall review this Conditional Use Permit within six months of the date of approval (October 2009), and make a determination if this business is operating in compliance with the applicable Conditions of Approval.

PASSED AND ADOPTED THIS 14th day of April 2009, by the following roll call vote:

AYES: Commissioners – Nemeth, Peterson, Garcia, Holstine, Gregory, Johnson, and Chair
Treatch
NOES: None
ABSENT: None
ABSTAIN: None

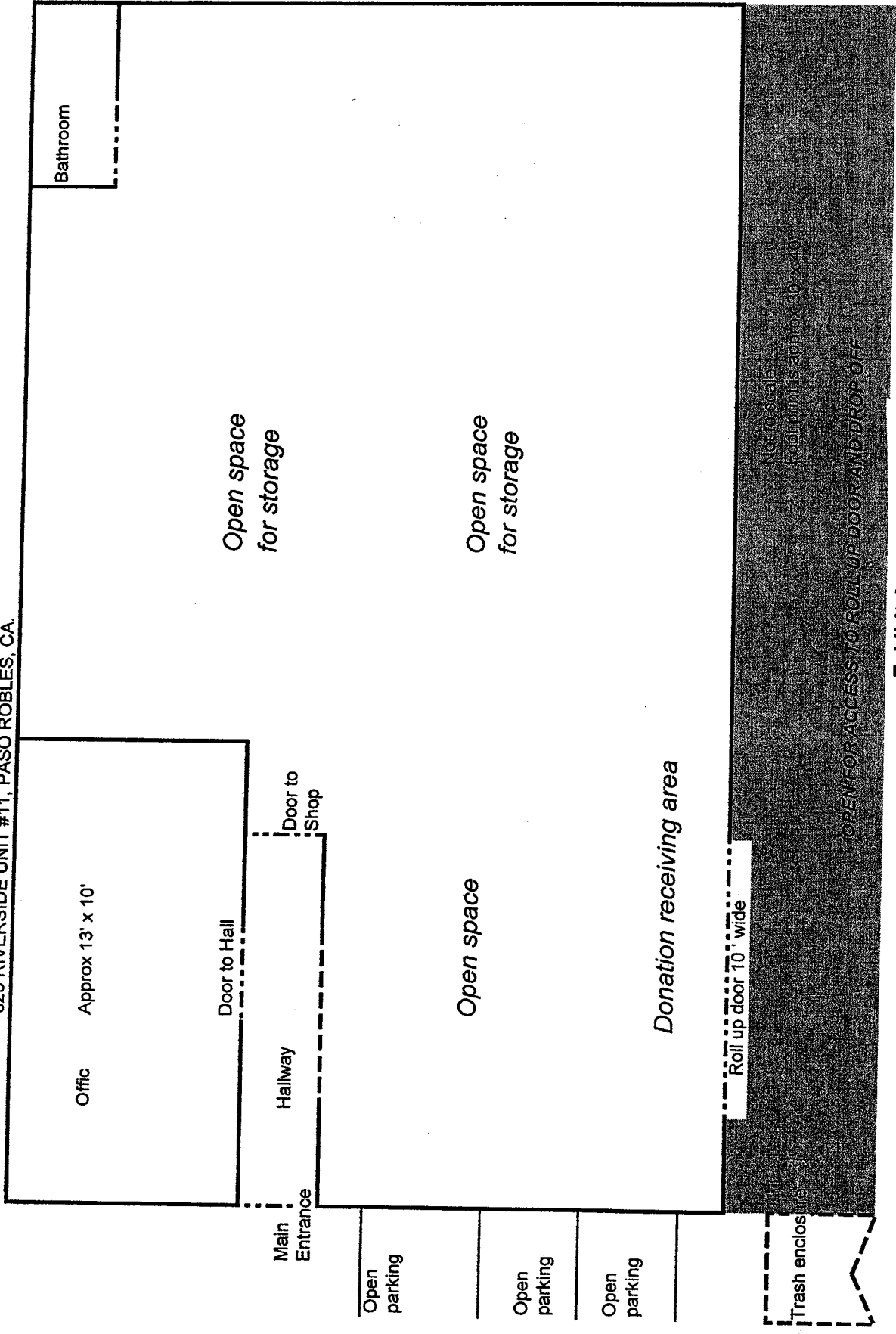

CHARLES TREATCH, CHAIRMAN

ATTEST:


RON WHISENAND, PLANNING COMMISSION SECRETARY

GOODWILL INDUSTRIES
825 RIVERSIDE UNIT #11, PASO ROBLES, CA

PROPOSED DONATION CENTER



**Exhibit A:
Floor Plan**