

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION
FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: CONDITIONAL USE PERMIT 12-005 (JASON DOMINGOS)
DATE: MAY 22, 2012

Needs: For the Planning Commission to consider an application filed by Jason Domingos to construct a new two-story, 1,754 square foot detached garage. (APN: 009-031-020)

- Facts:
1. The project site is located at 321 – 13th Street. The site is located in the R2 (Residential Multi-Family, 8-units per acre) zoning district.
 2. Section 21.16E.260 of the Zoning Code requires a Conditional Use Permit (CUP) for detached accessory buildings when the gross floor area of the detached accessory building exceeds 50-percent of the gross floor area of the main dwelling, or if the structure is over 15-feet in height.
 3. Since the primary dwelling is approximately 2,200 square feet and the proposed garage is 1,754 (which exceeds the 1,100 square foot threshold) and since the proposed 22-foot high garage exceeds the 15-foot height threshold, a CUP is required.
 4. The detached garage would be located at the rear of the lot and be accessed from the alley.
 5. The Development Review Committee (DRC) reviewed the proposal at their meeting on April 9, 2012. The Committee recommended approval of the CUP, indicating that the building seemed compatible with the existing buildings in the area.
 6. This application is categorically exempt from environmental review per Section 15303e of the State's Guidelines to Implement CEQA.

Analysis
and

Conclusion: The intent of the requirement of a Conditional Use Permit for detached accessory buildings is to insure that the building will be compatible with the surrounding neighborhood, and not negatively impact neighboring properties. As mentioned above, the DRC took in consideration the size of the proposed garage, and based on the garage being located in the rear of the lot near the alley, and since the adjacent properties are at different elevations, the height of the garage does not seem to negatively impact the adjacent properties and seems appropriate.

Policy

Reference: CEQA, The City of Paso Robles Zoning Code

Fiscal

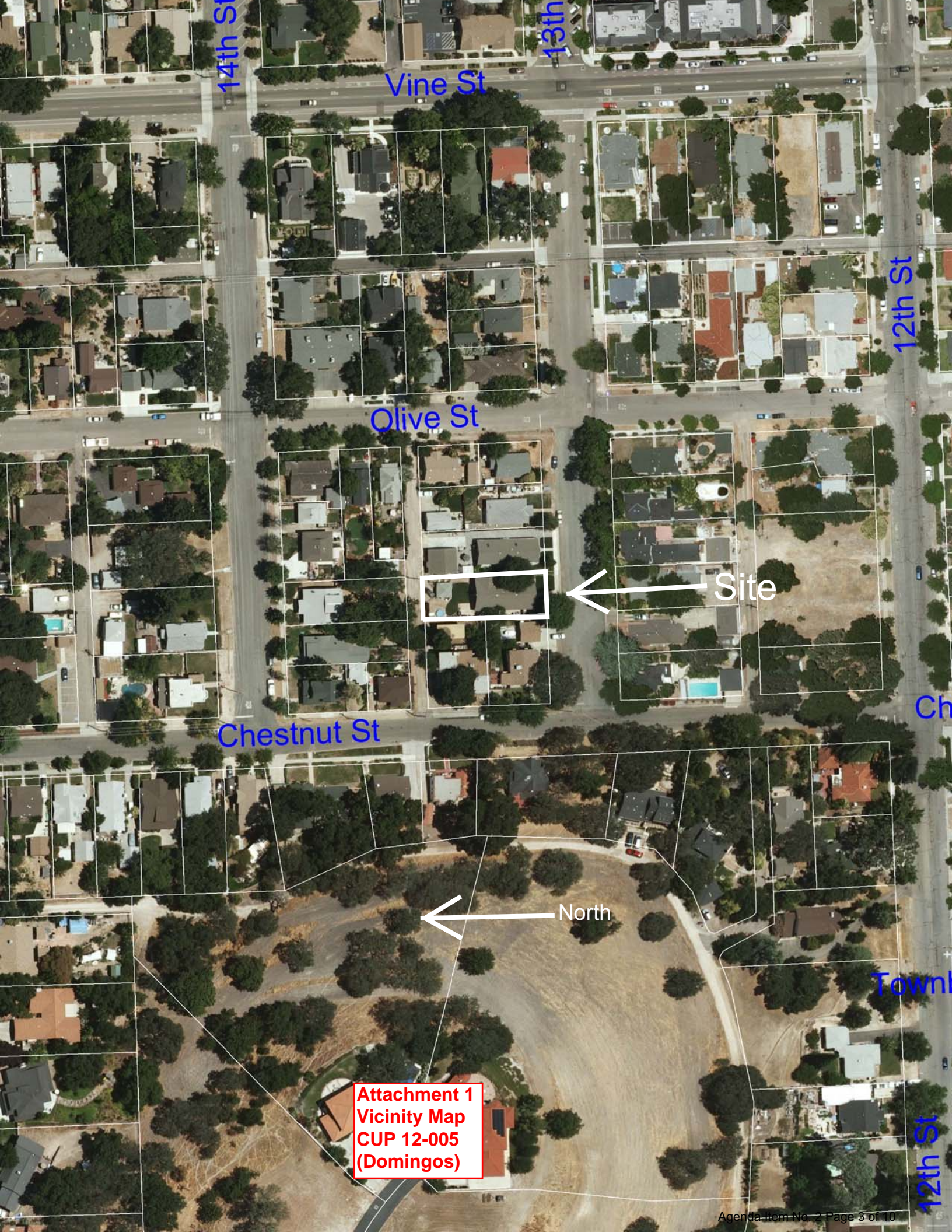
Impact: None identified at this time.

Options: After consideration of any public testimony, the Planning Commission should consider the following options:

- a). Adopt the attached resolution approving the proposed Conditional Use Permit 12-005;
- b). Amend, modify or reject the above noted options.

Attachments:

1. Vicinity map
2. Resolution Approving CUP 12-005
3. Newspaper notice and mail affidavits



14th St

13th St

Vine St

12th St

Olive St

Site

Chestnut St

Ch

North

Townl

Attachment 1
Vicinity Map
CUP 12-005
(Domingos)

12th St

RESOLUTION NO: _____

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 12-005
(Jason Domingos)
APN: 009-031-020**

WHEREAS, Section 21.16E.260 of the Municipal Code of the City of El Paso de Robles requires approval of a Conditional Use Permit for detached accessory buildings when the height is greater than 15-feet high or if the square footage of the accessory building is over 50 percent of the square footage of the primary dwelling; and

WHEREAS, since the proposed 2-story garage is taller than 15-feet and more than 50-percent of the square footage of the primary dwelling (which is 2,244), a Conditional Use Permit is necessary; and

WHEREAS, the building is proposed to be constructed on the rear of the site located at 321 - 13th Street, and be accessed off of the alley; and

WHEREAS, the site located in the R2 (Multi-family Residential, 8 units per acre) zoning district; and

WHEREAS, the Development Review Committee reviewed the proposal at their meeting on April 9, 2012, where they recommended that the Planning Commission approve the proposal; and

WHEREAS, a public hearing was conducted by the Planning Commission on May 22, 2012 to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this Conditional Use Permit request; 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 for the requested building, 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 the 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 Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 12-005 subject to the following conditions:

SITE SPECIFIC CONDTIONS

1. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Site Plan
B	South Elevation
C	North Elevation

2. This Conditional Use Permit (CUP) authorizes the construction of a new 2-story, 1,754 square foot garage on the property located at 321 - 13th Street, subject to the conditions of approval within this resolution.
3. Prior to the issuance of a building permit, the property owner shall record a Constructive Notice against the property that describes that the permits issued by the City are for a detached accessory building (garage), and not for a rental/dwelling unit.
4. 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.
5. Any new lighting needs to be fully shielded.
6. Any new utilities shall be placed underground.

PASSED AND ADOPTED THIS 22nd day of May 2012, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN AL GARCIA

ATTEST:

ED GALLAGHER, PLANNING COMMISSION SECRETARY

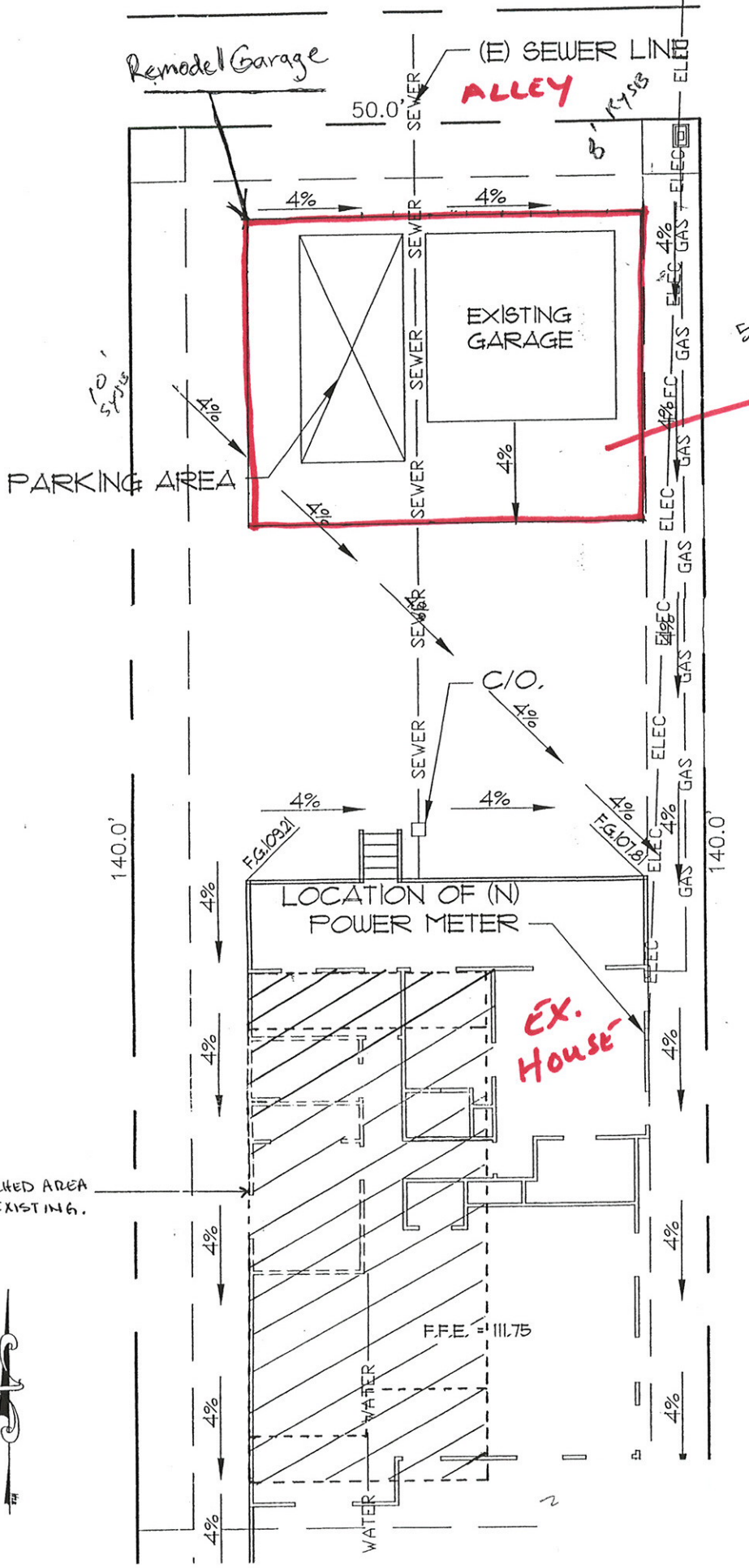


Exhibit A
 Site Plan
 CUP 12-005
 (Domingos)

Facing House
South View

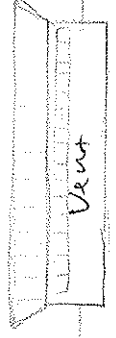


Exhibit B
South Elevation
CUP 12-005
(Domingos)

SCALE
1/4" = 1'-0"
20' 0" wall
is steel building

FACING ALLETT
FRONT

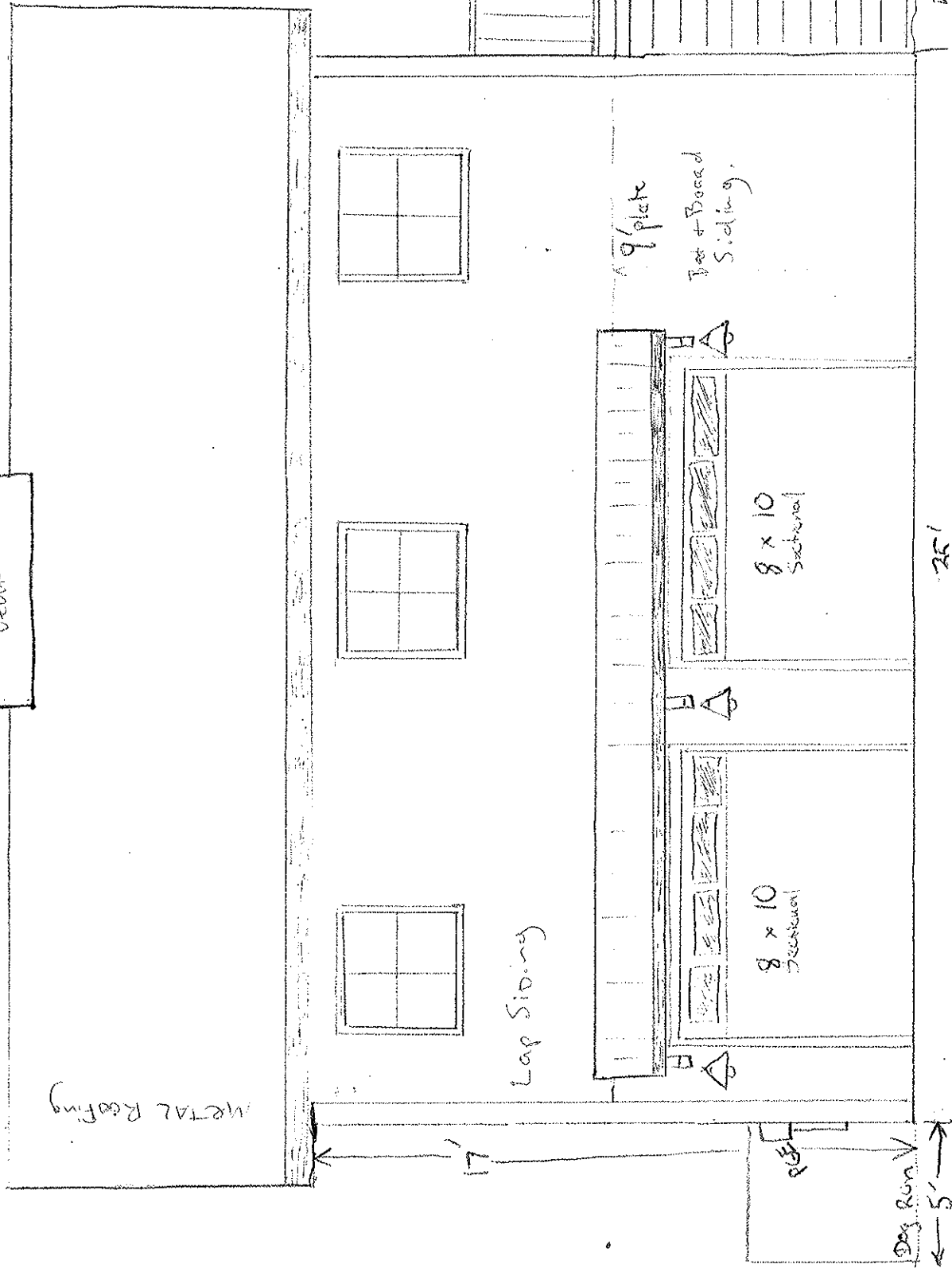
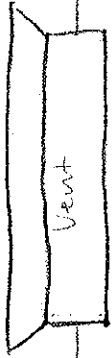


Exhibit C
North Elevation
CUP 12-005
(Domingos)

1" = 5'
2x4 walls or STEEL BUILD?

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

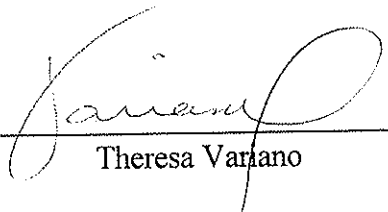
Newspaper: Tribune

Date of
Publication: May 11, 2012

Hearing
Date: May 22, 2012
(Planning Commission)

Project: Conditional Use Permit 12-005 (Domingos)

I, Theresa Variano, employee of the Community
Development Department, Planning Division, of the City
of El Paso de Robles, do hereby certify that this notice is
a true copy of a published legal newspaper notice for the
above named project.

Signed: 
Theresa Variano

forms/newsaffi.691

CITY OF EL PASO DE ROBLES
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 on Tuesday, May 22, 2012, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider the following project:

Request to consider a Conditional Use Permit (CUP 12-005) to construct a new detached garage with a larger two-story garage/storage building that would exceed the height limitations applied to property located at 321-13th Street, Paso Robles, California.

The application and staff report may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.

Written comments on the project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970 or by email at dnash@pcity.com.

If you challenge the project 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.

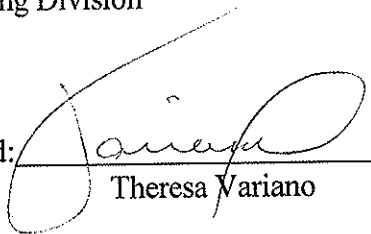
Susan DeCari
City Planner
May 11, 2012 6985678

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Theresa Variano, 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 12-005 (Domingos) on this 9th day of May 2012.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____


Theresa Variano