

**TO:** HONORABLE CHAIRMAN AND PLANNING COMMISSION  
**FROM:** ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** CONDITIONAL USE PERMIT 13-007 (BRENT SMITH)

**DATE:** JANUARY 28, 2014

**Needs:** For the Planning Commission to consider an application for a Conditional Use Permit filed by Brent Smith, proposing to establish a used car dealership with automotive repair uses.

**Facts:**

1. The project is located at 201 Spring Street (see attached Vicinity Map).
2. The General Plan designation is Community Commercial (CC). The site is located within the Uptown Town Center Specific Plan (Specific Plan) area, and has a TC-2 (Town Center 2) zoning designation.
3. The Specific Plan allows used car sales and automotive repair uses in the TC-2 zone, subject to the approval of a Conditional Use Permit (CUP).
4. The business would utilize the existing building as their show room and offices. A new 2,100 square foot building would be built to provide for three service bays for automotive repair.
5. The existing yard area would be used for display of cars for sale.
6. The DRC reviewed the project on January 6, 2014. The DRC recommended that the Planning Commission approve the project.
7. This application is Categorically Exempt from environmental review per Section 15332 (Infill) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

**Analysis  
and**

**Conclusion:**

This project was discussed with the DRC, where the main topic of discussion was noise impacts associated with the automotive repair, on the adjacent residences located across the alley. Staff indicated that the following measures have been taken in order to reduce noise impacts:

- The project has been designed with the new building oriented so that the services bays face to the east, away from the residences;
- Since the building is located within five feet of the property line, the building codes will require that the rear wall along the alley be constructed to comply with fire separation requirements that will prevent any openings in the rear wall, and more dense wall construction which will help reduce noise;
- A condition of approval has been added that requires all noise making equipment, such as, air compressors be located inside the building;
- A condition has been added that limits the hours of operation for the automotive services use to 7:30am to 6:30pm, Monday through Saturday.

Also discussed with the DRC was the architecture of the new auto service building. The DRC requested that the roof design for the building should be designed to correspond with the roof of the existing building. Since the plans show the service building to have a flat roof, a condition of approval has been added that requires the final plans to be reviewed by the DRC to review the revised roof design and insure that it corresponds with the design of the roof of the existing building.

The automotive sales use would seem to be a good use for the existing building and lot area. With the conditions as described above, it would seem that the auto repair use could be a good accessory use to the auto sales business and be compatible with the existing neighborhood.

**Policy**

**Reference:**

General Plan Land Use Element, Uptown Town Center Specific Plan, Zoning Code, and 2006 Economic Strategy.

**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 13-008, allowing for the establishment of a used car dealership with automotive repair uses, subject to the site specific and standard conditions of approval;
- b. Amend, modify, or reject the above-listed action;

**Attachments:**

1. Vicinity Map
2. Draft Resolution to approve CUP 13-008
3. Mail and Newspaper Affidavits

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

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 13-008  
(BRENT SMITH)  
APN: 009-286-015, 016, 017, 018

WHEREAS, Table 5.3-1 Allowed Land Uses within the Uptown Town Center Specific Plan, requires approval of a Conditional Use Permit (CUP) for used car sales and automotive repair in the TC-2 (Town Center-2) zoning district; and

WHEREAS, Brent Smith has filed a CUP application to establish and operate used car dealership with accessory auto repair, at the site located at 201 Spring Street; and

WHEREAS, a new 2,100 square foot building will be constructed to provide three bays for automotive repair; and

WHEREAS, a public hearing was conducted by the Planning Commission on January 28, 2014, 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 and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance and operation for the requested use and building would be consistent with the General Plan and not 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; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 13-008, subject to the following conditions:

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	Elevations

2. This Conditional Use Permit (CUP) authorizes the establishment and operation of a used car sales lot with accessory automotive repair, on the site located at 201 Spring Street.
3. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Conditional Use Permit process, shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.

4. Any site specific condition imposed by the Planning Commission in approving this project 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 approval of this project. 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 for this approval.
5. The hours of operation for the automotive repair uses shall be limited to 7:30am to 6:30pm, Monday through Saturday.
6. Prior to the submittal of plans for building plan check, the architectural plans shall be reviewed by the DRC to insure that the design of the new service building is architecturally compatible with the existing building.
7. All signage shall comply with the City's Sign Ordinance.

PASSED AND ADOPTED THIS 28<sup>th</sup> day of January, 2014 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

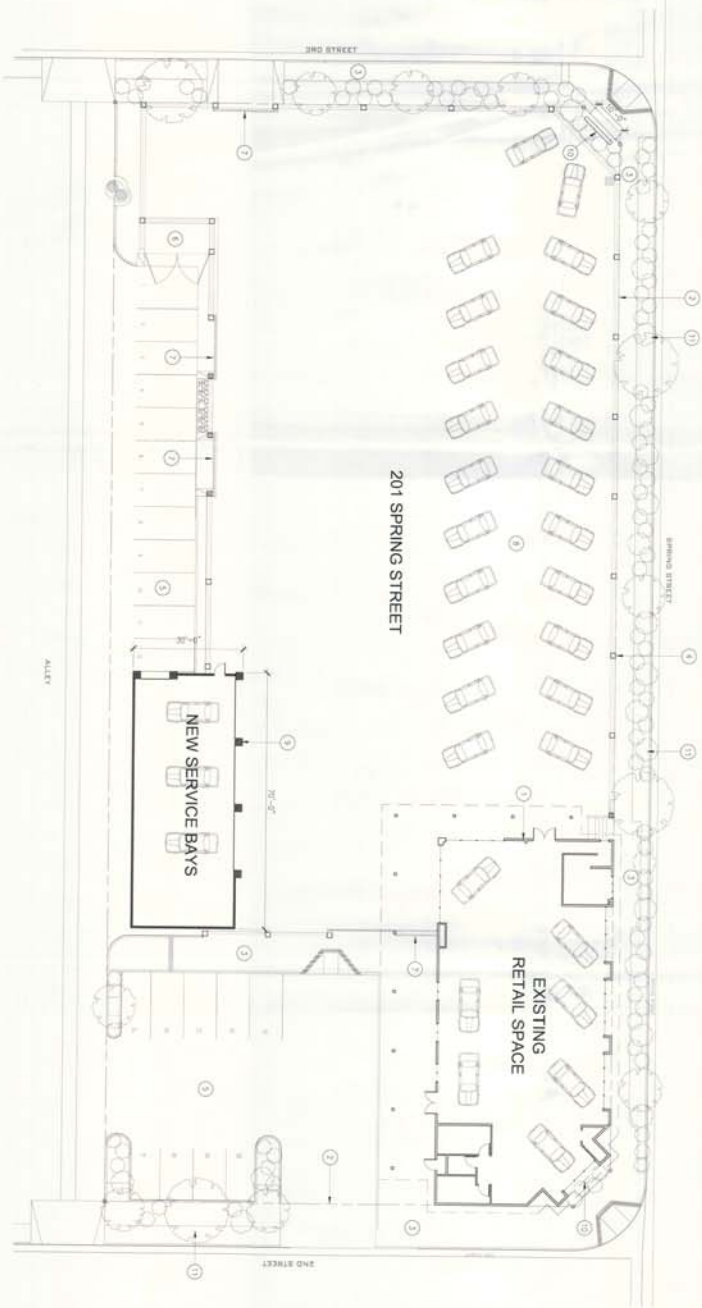
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VINCE VANDERLIP, CHAIRMAN

ATTEST:

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ED GALLAGHER, SECRETARY OF THE PLANNING COMMISSION



**SITE NOTES**

1. EXISTING SITE PLAN, APPROVED BY THE CITY OF SAN FRANCISCO.
2. EXISTING SITE PLAN, APPROVED BY THE CITY OF SAN FRANCISCO.
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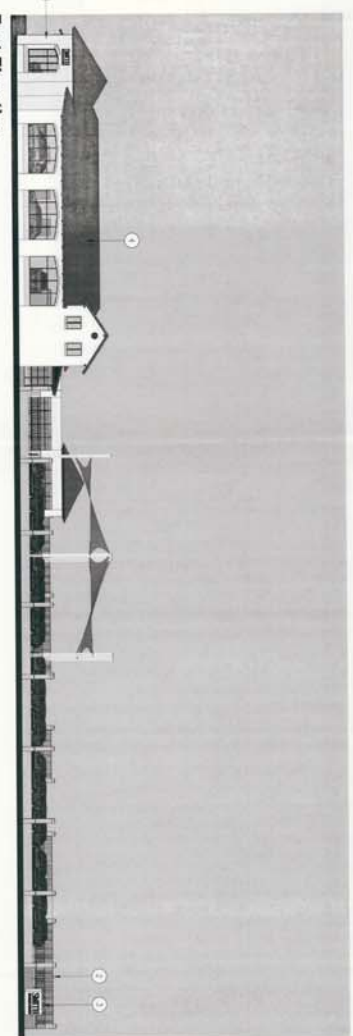
**VICINITY MAP**

1/4" = 100' SCALE

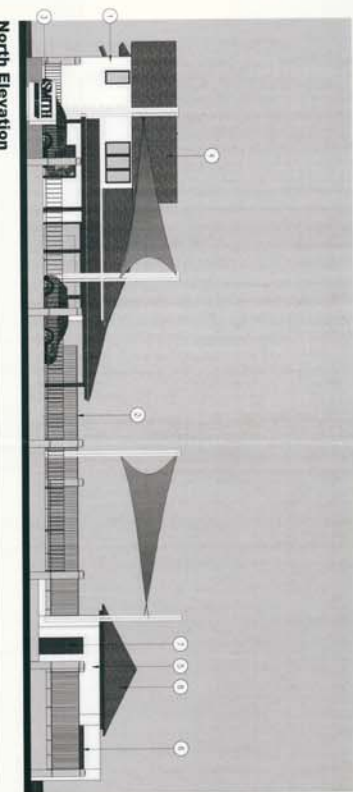


**SITE DATA:**

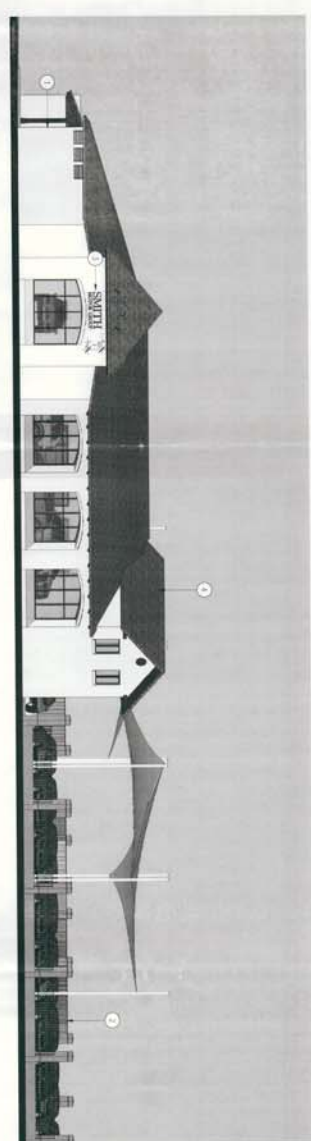
PROJECT NAME: 201 SPRING STREET AUTOMOTIVE DEALERSHIP  
 PROJECT ADDRESS: 201 SPRING STREET, SAN FRANCISCO, CA 94104  
 PROJECT OWNER: KENTING COMMERCIAL, LLP AND BUILDING TO BE CONVERTED TO AUTOMOTIVE DEALERSHIP



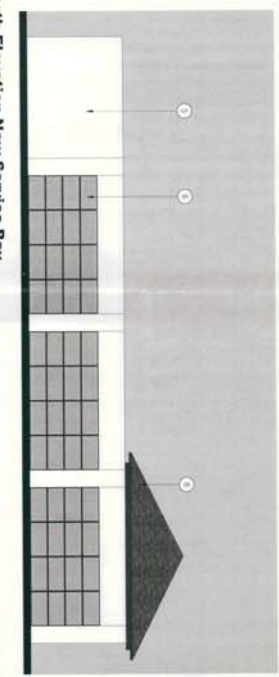
East Elevation  
 SCALE: 1/8" = 1'-0"



North Elevation  
 SCALE: 1/8" = 1'-0"

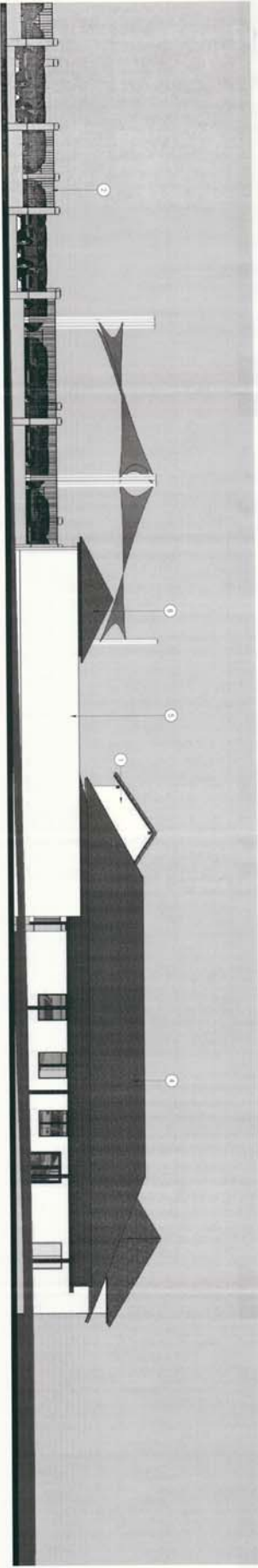


South Elevation  
 SCALE: 1/8" = 1'-0"



East Elevation New Service Bay  
 SCALE: 1/8" = 1'-0"

- ELEVATION NOTES**
- 1. EXISTING ELEVATION TO REMAIN AND FINISH WITH DARK STAINLESS STEEL PANELS
  - 2. FINISH WITH DARK STAINLESS STEEL PANELS
  - 3. FINISH WITH LIGHT STAINLESS STEEL PANELS
  - 4. FINISH WITH DARK STAINLESS STEEL PANELS
  - 5. FINISH WITH LIGHT STAINLESS STEEL PANELS
  - 6. FINISH WITH DARK STAINLESS STEEL PANELS



West Elevation  
 SCALE: 1/8" = 1'-0"

elevations

201 spring street  
 automotive dealership  
 201 spring street  
 spring field, il 60146

13.1219  
 13.1219  
 13.1219

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

I, Kristen Buxkemper, 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 13-007 (Smith) on this 16<sup>th</sup> day of January, 2014.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed:   
Kristen Buxkemper



THE *Newspaper of the Central Coast*  
TRIBUNE

3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

In The Superior Court of The State of California  
In and for the County of San Luis Obispo  
AFFIDAVIT OF PUBLICATION

AD # 7041627  
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; JANUARY 15, 2014, 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: JANUARY 15, 2014  
AD COST: \$163.44

**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, January 28, 2014, 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:

Conditional Use Permit (CUP 13-007), a request filed by Brent Smith to establish a used car dealership with automotive repair on the existing site located at 201 Spring Street.

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 or emailed to [planning@prcity.com](mailto:planning@prcity.com), 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@prcity.com](mailto:dnash@prcity.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.

Darren Nash  
Associate Planner  
January 15, 2014

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RECEIVED  
JAN 16 2014  
City of Paso Robles  
Community Development Dept.