

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: WARREN FRACE, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE PERMIT 15-017 (THE CHOP SHOP)

DATE: OCTOBER 13, 2015

Needs: For the Planning Commission to consider an application filed Macisaac Enterprises, LLC on behalf of the Chop Shop, to establish and operate an automotive restoration shop within an existing building.
(APN: 009-161-021)

Facts:

1. The project is located at 802 Paso Robles Street, which is in the RSC (Riverside Corridor) zoning district, see attached Vicinity Map (Attachment 1).
2. Table 5.3-1 of the Uptown Town Centre Specific Plan requires a Conditional Use Permit (CUP) for automotive repair shops in the RSC zone.
3. The 1.5 acre site has historically and been used as a "Contracted Services" use by Arbor Tree Surgery, and still operates and stores vehicles and equipment on the property. The industrial building was previously used for repair and maintenance of Arbor's vehicles and equipment. The Contracted Services use is considered a legal non-conforming use under the Uptown / Town Center Specific Plan due to a lack of outdoor storage area screening.
4. The Chop Shop would operate within the existing industrial building. The lease area for the Chop Shop includes the building, the concrete area in front of the building, and the four parking spaces adjacent to the building. There will be no outdoor storage of vehicles associated with the Chop Shop business.
5. The Development Review Committee (DRC) reviewed the proposal at their meeting on September 28, 2015. The Committee recommended approval of the CUP with a condition of approval that requires all vehicles waiting for repair shall be parked inside the building during times when the shop is not open for business.

Additionally no parts or materials are permitted to be stored outside of the building.

6. This application is categorically exempt from environmental review per Section 15301 (existing building) of the State's Guidelines to Implement CEQA.

Analysis
and

Conclusion: The main issue related to automotive repair shops, is typically the on-going outdoor storage of inoperable vehicles. The applicants are aware of the concern and have indicated that there will be no overnight outdoor storage of cars or parts/materials. All vehicles waiting for parts will be stored within the building when the Chop Shop is not open for business.

It would seem that the proposed auto repair use would be compatible with the existing Arbor Tree Surgery business located on the same parcel, subject to the conditions of approval with this use permit.

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 15-017, subject to standard and site specific conditions of approval;
- b). Amend, modify or reject the above noted options.

Attachments:

1. Vicinity map/Site Plan
2. Resolution Approving CUP 15-017
3. Newspaper notice and mail affidavits



SITE

CHOP SHOP
LEASE AREA

Attachment 1
Vicinity Map / Site Plan
CUP 15-017
(Chop Shop)

Paso Robles

Attachment 2: Draft Resolution Approving CUP 15-017
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RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 15-017
(The Chop Shop)
APN: 009-161-021

WHEREAS, Table 5.3-1 of the Uptown Town Center Specific Plan (Specific Plan) of the City of El Paso de Robles requires approval of a Conditional Use Permit for automotive repair shops in the RSC (Riverside Corridor) zoning district; and

WHEREAS, the applicant, Macisaac Enterprises, LLC on behalf of the Chop Shop has filed a Conditional Use Permit (CUP) application to establish and operate automotive restoration shop within the existing building located at 802 Paso Robles Street; and

WHEREAS, a public hearing was conducted by the Planning Commission on October 13, 2015, 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.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 15-017 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>
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A	Site Plan
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2. This Conditional Use Permit (CUP) authorizes the establishment and operation of an automotive repair shop within the existing building located at 802 Paso Robles Street as shown on Exhibit A.
3. This project approval shall expire on October 13, 2016, unless the repair shop use has not been executed, or unless a time extension request is filed with the Community Development Department prior to expiration.

4. All storage of vehicles waiting for parts or to be worked on shall be stored within the building during the time that the repair shop is not open for business. There shall be no outdoor storage of vehicles, parts or materials. All repair work shall be conducted within the building.
5. Prior to the issuance of a Business License, any tenant improvements required to bring the building up to Code related to the auto body and paint use shall be completed.
6. All signage shall be reviewed and approved by the Development Review Committee (DRC) as necessary, prior to installation.
7. 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.
8. 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.

PASSED AND ADOPTED THIS 13th day of October, 2015 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

VINCE VANDERLIP, CHAIRMAN

WARREN FRACE, SECRETARY OF THE PLANNING COMMISSION

Exhibit A: CUP Regulating Site Plan



Overall Project Site

Area of existing, legal
non-conforming,
"Contracted Service"
use (not to be
expanded)

Maximum area of
"Automotive Repair"
use



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

AFFIDAVIT OF MAIL NOTICES PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Monica Hollenbeck, 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 15-017 (The Chop Shop), on this 29th day of September, 2015.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: Monica C. Hollenbeck
Monica Hollenbeck

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION PROJECT NOTICING

Newspaper: The Tribune

Date of Publication: 10/02/15

Meeting Date: 10/13/15
Planning Commission

Project: The Chop Shop CUP 15-017

I, Monica C Hollenbeck, employee of the Community Development Department, Engineering 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: Monica C Hollenbeck
Monica C Hollenbeck

<p>CITY OF EL PASO DE ROBLES</p> <p>NOTICE OF PUBLIC HEARING</p> <p>NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, October 13, 2015 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:</p> <p>An application filed by Macisaac Enterprises, LLC, for a Conditional Use Permit (CUP 15-017) requesting to establish an automotive restoration business within the existing industrial building located at 802 Paso Robles Street. (APN 009-161-021).</p> <p>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.</p> <p>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@prcity.com.</p> <p>This application is Categorically Exempt from environmental review per Section 15301 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).</p> <p>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.</p> <p>Darren Nash Associate Planner October 2, 2015</p> <p>2001766</p>
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