



## City of Paso Robles Planning Commission Agenda Report

From: Darren Nash, Associate Planner

Subject: **Conditional Use Permit 17-012 – Captain’s Garage**  
712 Paso Robles Street / APN 009-213-009  
Applicant – Kirk Allen  
A request to establish a used vehicle sales business within the existing building at 712 Paso Robles Street, Units C & D.

Date: October 10, 2017

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### Facts

1. Kirk Allen is proposing to establish used automobile and motorcycle sales within an existing building located at 712 Paso Robles Street, Units C & D. (See Vicinity Map, Attachment 1).
2. The building is located in the RSC (Riverside Corridor) zoning district within the Uptown/Town Centre Specific Plan and has a Commercial Service (CS) General Plan Land Use designation.
3. Table 5.3-1 of the Uptown/ Town Center Specific Plan requires a Conditional Use Permit (CUP) for a used vehicle sales in the RSC zone.
4. Mr. Allen intends to display the vehicles for sale within the existing building; however, the Department of Motor Vehicles (DMV) requires that there are at least two parking spaces for the display of the vehicles within the outdoor parking lot area.
5. There are four parking spaces assigned to Units C & D. There are two other spaces located in front of the roll-up doors. The two spaces in front of the roll-up doors is where the two display spaces would be located.
6. The Development Review Committee (DRC) reviewed this project at their meeting on October 2, 2017. The DRC recommend that the Planning Commission approve the CUP request.
7. This application is categorically exempt from environmental review per Section 15301 (existing building) of the State’s Guidelines to Implement CEQA.

### Options

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

1. Approve the draft Resolution A (Attachment 3), approving the proposed Conditional Use Permit 17-012, subject to site specific conditions of approval;
2. Refer back to staff for additional analysis;
3. Deny the conditional use permit with the adoption of findings of denial.

# Agenda Item 1

## **Analysis and Conclusions**

The proposed use within the existing building would seem to be a good fit, since the intent for this used car sales business is that all except for two vehicles would be displayed inside the building. Conditions of approval have been added to the resolution approving the CUP (Attachment 4), that require all vehicles for sale be located within the building except for the two spaces.

### Options

Option 1. Approval of the CUP would be based on the display of all vehicles for sale would be within the building, except for the two required outdoor display spaces.

Option 2. Continuing the item to a future Planning Commission meeting would allow staff to work with the applicant and further review the project as it is proposed.

Option 3. The Planning Commission would have to make findings to support denial of the project.

### **Fiscal Impact**

None identified at this time.

### **Recommendation**

Option 1. Approve the draft Resolution A, approving the proposed Conditional Use Permit 17-012, subject to site specific conditions of approval.

### **Attachments**

1. Vicinity Map
2. Project Description
3. Draft Resolution A
4. Mail Affidavit
5. Newspaper Affidavit



## ATTACHMENT 2

### Captain's Garage Project Description

Captain's Garage will be primarily engaged in the retail sale of used automobiles and motorcycles via the internet. The owner Kirk Allen has over 15 years of experience in new and used auto sales. Captain's Garage will continue to develop an excellent working relationship with local dealers and auctions to bring the savings to the customer. Captain's Garage will display no more than two vehicles outside at a time. All other inventory will be part of the indoor showroom. Captain's Garage will provide a unique car buying experience to the customers in Paso Robles, CA. One that focuses on customer satisfaction first. Captain's Garage understands that vehicle purchasing is a necessary, but sometimes unpleasant experience. The company's goal is to provide the customer with an enjoyable, honest service by satisfying individual customers practical transportation needs with a quality product. No service work will be done on the premises.

## Attachment 3 Draft Resolution A

**RESOLUTION NO: PC 17-XXX  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 17-012  
(712 Paso Robles Street – Captain’s Garage)  
APN: 009-213-009**

WHEREAS, Kirk Allen, has filed a Conditional Use Permit (CUP) application to establish a vehicle sales business within the existing building at 712 Paso Robles Street, units C & D; and

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 a used vehicles sales businesses, in the RSC (Riverside Corridor) zoning district; and

WHEREAS, the for sale vehicles would be displayed within the existing building, except for two outdoor display parking spaces; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15301 (existing building) of the State’s Guidelines to Implement the California Environmental Quality Act (CEQA); and

WHEREAS, a duly noticed public hearing was conducted by the Planning Commission on October 10, 2017, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding the application; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

**Section 1.** All of the above recitals are true and correct and incorporated herein by reference.

**Section 2 - Findings:** based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings:

1. The proposed use is consistent with the General Plan and Zoning Ordinance; and
2. The proposed use satisfies the applicable provisions of the Zoning Ordinance; and
3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use; and
4. That the proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development; and

# Agenda Item 1

**Section 3 - Environmental Determination:** This application is Categorical Exempt from environmental review per Section 15301 (existing building) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

**Section 4 - Approval:** Conditional Use Permit 17-012 is approved subject to the following:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Project Conditions of Approval
B	Project Plans

PASSED AND ADOPTED THIS 10<sup>th</sup> Day of October 2017 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Chairman John Donaldson

ATTEST:

\_\_\_\_\_  
Warren Frace, Planning Commission Secretary

# Exhibit A

## Conditions of Approval – CUP 17-012

### Planning Division Conditions:

1. This Conditional Use Permit (CUP) authorizes the establishment of a used vehicle sales business within the existing building at 712 Paso Robles Street, Units C & D.
2. The project shall substantially conform to Exhibit B (Project Plans) as attached to this Resolution.
3. All vehicle shall be displayed within the building, except for two outdoor display parking spaces as shown on Exhibit B. No more than two vehicles being displayed for sale shall be displayed outside of the building.
4. Vehicle repair is not permitted with the approval of CUP 17-012.
5. All signage shall be reviewed and approved by the Development Review Committee (DRC), prior to installation.
6. The site shall be developed, maintained and operated 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.
7. 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.



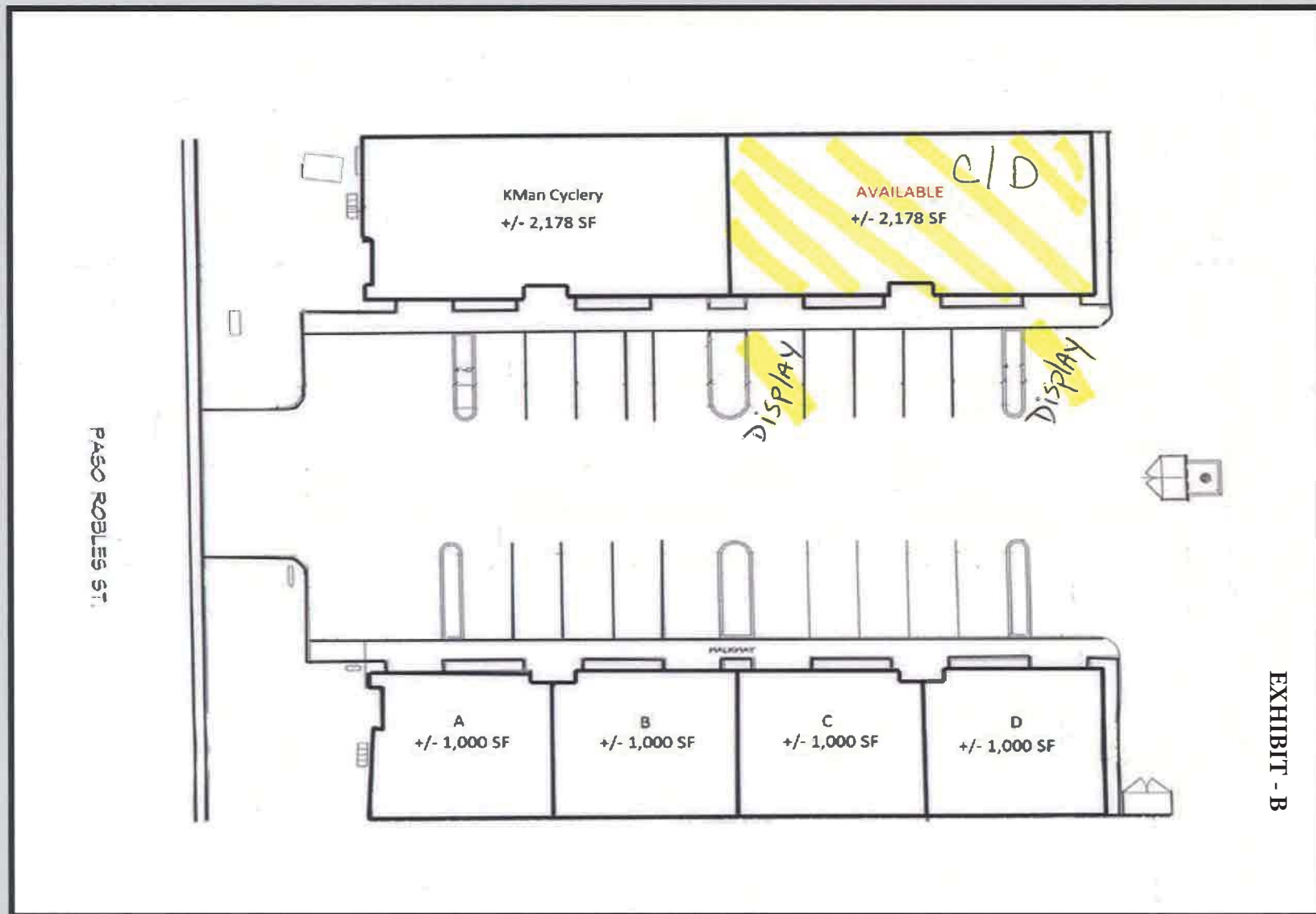


EXHIBIT - B





**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 17-012, on this 29<sup>th</sup> day of September, 2017.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed: Monica C Hollenbeck  
Monica Hollenbeck

OCT 03 2017

City of Paso Robles  
Community Development Dept

THE Newspaper of the Central Coast  
TRIBUNE

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

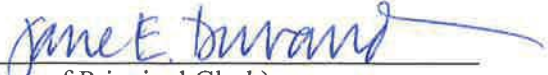
In The Superior Court of The State of California  
In and for the County of San Luis Obispo

AD #3307341  
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; SEPTEMBER 29, 2017 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)  
DATE: SEPTEMBER 29, 2017  
AD COST: \$199.65

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Planning Commission will hold a Public Hearing to consider the following project:

**APPLICATION:** Conditional Use Permit (CUP 17-012), a request to establish a used vehicle sales within an existing building.

**APPLICANT:** Kirk Allen – Captain's Garage

**LOCATION:** 712 Paso Robles Street; Assessor's Parcel Number 009-213-009.

**ENVIRONMENTAL DETERMINATION:** This application is Categorical Exempt from environmental review per Section 15301 (existing facilities) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

**HEARING:** The Planning Commission will hold a Public Hearing on Tuesday, October 10, 2017, at 6:30 p.m. at the Library Conference Center, 1000 Spring Street, Paso Robles, California.

Questions about this application may be directed to the Community Development Department at (805) 237-3970 or via email at [planning@prcity.com](mailto:planning@prcity.com). Comments on the proposed application may be mailed to the Community Development Department, or emailed to [planning@prcity.com](mailto:planning@prcity.com) provided that such comments are received prior to the time of the hearings.

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

Copies of the staff report pertaining to this project will be available for review at the Community Development Department on the Thursday preceding each hearing (copies are available for purchase for the cost of reproduction). If you have any questions, please contact the Community Development Department at (805) 237-3970.

Darren Nash  
Associate Planner  
September 29, 2017

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