

RESOLUTION NO: 00-016

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE A CONDITIONAL USE PERMIT 00-001
(CHARLOTTE WALLACE)

APN: 025-016-012

WHEREAS, Charlotte A. Wallace has submitted an application for Conditional Use Permit 00-001 to establish a music teaching studio for up to four students at her residence located at 1606 Stormy Way, and

WHEREAS, Municipal Code Section 21.23.070, Home Occupation Application, only allows for music studios for one pupil, unless the Planning Commission approves a Conditional Use Permit, and

WHEREAS, a public hearing was conducted by the Planning Commission on February 8, 2000, 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, at their meeting of February 8, 2000, the Planning Commission directed staff to submit a resolution for approval of Conditional Use Permit 00-001 at the Planning Commission hearing of February 22, 2000, 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 or operation for the requested use or building applied for, 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 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 the Conditional Use Permit 00-001 subject to the following conditions:

1. 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.

2. That the Development Review Committee (DRC) review the Conditional Use Permit 00-001 in one year, or sooner if the City has received complaints regarding the music studio.
3. Music activities shall be limited to piano/keyboard activities.
4. That CUP 00-001 will be nullified upon the expiration of the Business License/Home Occupation Permit, or if there is a change in ownership/occupancy of the home.
5. Noise from the activities shall not go beyond the property lines of said site and any noise beyond the property line shall be grounds for consideration of revocation of the Conditional Use Permit.
6. Daily activities for the music studio shall not operate beyond the time of 8:00PM on any day.

PASSED AND ADOPTED THIS 22nd day of February, 2000, by the following roll call vote:

AYES: Warnke, Tascona, Nemeth, McCarthy, Steinbeck, Johnson,

NOES: None

ABSENT: Finigan

ABSTAIN: None

CHAIRMAN GARY NEMETH

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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