

RESOLUTION NO: 01-019  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 00-023  
(SPRINT PCS / TACIT COMMUNICATIONS)  
APN: 009-813-010

WHEREAS, section 21.16.200 of the Municipal Code of the City of El Paso de Robles requires approval of a conditional use permit for transmission and receiving stations in the PM zoning district, and

WHEREAS, the applicant, Sprint PCS, has filed a Conditional Use Permit application to construct a wireless communication facility within the existing PG&E Substation located on the northeast corner of Niblick and South River Road, and

WHEREAS, the facility would consist of a 65 foot tall monopole with two equipment cabinets, and

WHEREAS, a public hearing was conducted by the Planning Commission on February 27, 2001, 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 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 Conditional Use Permit 00-023 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
C	Layout Plan
B	Elevations

2. This conditional use permit (CUP) authorizes the construction of a wireless communication facility within the existing PG&E Substation on the northeast corner of Niblick and South River Road in a manner described in attached exhibits and as by conditions contained within this resolution.

3. If the Conditional Use Permit is not exercised by February 27<sup>th</sup> 2003, the project approval shall expire, unless a time extension request is filed with the Community Development Department prior to expiration.
4. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
5. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
6. 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.
7. The wireless communication facility shall be removed if and when the PG&E Substation is removed.

PASSED AND ADOPTED THIS 27<sup>th</sup> day of February, 2001, by the following roll call vote:

AYES: Nicklas, McCarthy, Warnke, Johnson, Steinbeck, Tacona, Calloway

NOES: None

ABSENT: None

ABSTAIN: None

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CHAIRMAN RON JOHNSON

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY