

RESOLUTION NO.: 01-083
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 01-010
(Children's Corner Preschool & Daycare)
APN: 009-361-027

WHEREAS, Conditional Use Permit 01-010 has been filed by Tamera Davis-Stevens, for conversion of an existing single-family residence to preschool and daycare with a maximum capacity of 45 students,

WHEREAS, the project would be located at 711 Rolling Hills Road, and

WHEREAS, the public hearing was conducted by the Planning Commission on October 9, 2001, to consider the initial study prepared for this application, and to accept public testimony regarding this proposed environmental determination on the Conditional Use Permit, and

WHEREAS, with regards to the split zoning on the parcel and pursuant to PRMC §21.04.050, the Planning Commission finds that the majority of the parcel is located in the less restrictive Office Professional (OP) zone, and a minority is located in the more restrictive R-1 residential zone, and therefore the entire parcel is deemed to be zoned OP, and

WHEREAS, a resolution adopted by the Planning Commission approved a Negative Declaration status for this project, and a Negative Declaration was prepared for the proposed Planned Development application in accordance with the California Environmental Quality Act, 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 an amendment to Conditional Use Permit 01-010 subject to the following conditions:

STANDARD CONDITIONS:

1. The applicant shall comply with all those conditions which are indicated on "Exhibit A" to this resolution.
2. The project shall be constructed so as to substantially conform with the following listed exhibit and all conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
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- B Preliminary Site Plan, as modified by the Planning Commission to eliminate Parking Space #8 and retain the existing tree at that location*

*Large copies of plans are on file in the Community Development Department

3. 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.

COMMUNITY DEVELOPMENT SITE SPECIFIC CONDITIONS:

1. This Conditional Use Permit application would allow the conversion of an existing 1,100 square foot residence and detached garage into a pre-school and daycare facility with ancillary parking and play areas.
2. Prior to issuance of a certificate of occupancy, the applicant shall install existing overhead utility lines underground adjacent to the Rolling Hills frontage of this of this parcel, or, the applicant may defer this improvement upon entering into an Agreement, in a form to be approved by the City Attorney, to not protest the formation of an Assessment District to underground these utilities.
3. Prior to the use of the existing house as a preschool, or any other use besides a residence, it shall be brought up to all necessary Building and Fire Codes and go through all of the necessary Building Permit processes.
4. The applicants represent that there is one 32 inch oak tree immediately north of the site on the adjacent parcel and that it would be preserved. No other oak trees (if any) are to be removed with this Conditional Use Permit.
5. The Planning Commission finds the two parking spaces closest to the north property line are appropriate for staff use and tandem parking is permitted on those two spaces only, thereby increasing staff parking to four spaces and total parking to nine spaces on site.

ENGINEERING SITE SPECIFIC CONDITIONS:

1. Prior to the issuance of a Grading Permit, the applicant shall submit a complete grading and drainage plan prepared by a registered civil engineer. Drainage calculations shall be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer.
2. Prior to the issuance of a Certificate of Occupancy, the applicant shall install a backflow prevention device at its domestic, landscape, and fireline services.

EMERGENCY SERVICES SITE SPECIFIC CONDITION:

1. An approved Fire Alarm System will need to be installed according to NFPA 72 and State Standards.
2. The project needs to conform to all local, State and Federal Codes including but not limited to Title 19/24.

PASSED AND ADOPTED THIS 9th day of October, 2001, by the following Roll Call Vote:

AYES: NICKLAUS, MCCARTHY, WARNKE, JOHNSON, STEINBECK, TASCONA,
CALLOWAY

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

CHAIRMAN RON JOHNSON

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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