

RESOLUTION NO.: 02-009
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 01-005
(WHITCHER)
APN: 008-316-002

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 a medical office use in the R-2 Duplex/Triplex Multi-family zoning district that has Office Professional Overlay zoning, and

WHEREAS, the applicant, Steven Pults, on behalf of Dr. Bruce Whitcher, has filed a Conditional Use Permit application to construct a new medical office facility located at 1428 Oak Street, and

WHEREAS, the facility would consist of a 3,475 square foot one-story building to be used as an oral surgery office, 17 parking spaces, and site landscaping, and

WHEREAS, the project has been determined to be categorically exempt from further environmental review under CEQA Section 15303, and

WHEREAS, a public hearing was conducted by the Planning Commission on February 12, 2002, 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 01-023 subject to the following conditions:

STANDARD CONDITIONS OF APPROVAL:

1. The applicant/developer shall comply with those standard conditions that are indicated as applicable in "Exhibit A" to this resolution.

SITE SPECIFIC CONDITIONS OF APPROVAL:

NOTE: In the event of conflict or duplication between standard and site specific conditions, the site specific condition shall supersede the standard condition.

COMMUNITY DEVELOPMENT

1. The project shall be constructed so as to substantially conform to the following listed exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
B	Site Plan
C	Grading & Drainage Plan
D	Elevations
E	Landscape plan

2. This Conditional Use Permit (CUP) authorizes the construction of a medical office facility in a manner described in attached exhibits and as by conditions contained within this resolution.
3. This project approval shall expire on February 12, 2004, 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. Pursuant to submittal requirements and Standard Condition B-1 of Attachment A, prior to occupancy the applicant shall provide on a 3.5 inch disk or IBM-compatible CD a copy of all signed and stamped approved plans, exhibits, resolutions, and all submittal materials and other documentation pertaining to approval of this application for electronic archiving. The applicant may elect to have the City send out the documents for scanning at the applicant's expense.

ENGINEERING

8. Undergrounding of overhead utilities is required with this project. In lieu of undergrounding at this time, the Applicant shall agree not to protest the formation of, and to participate in, a special district whose specific purpose is the future “undergrounding” of overhead utilities in this vicinity.
9. The Applicant shall install a City Standard B-6 Alley Approach at the intersection of the alley with 15th Street as mitigation for increased traffic in the alley.
10. An Engineering Permit Application and Improvement Plans shall be submitted by the Applicant and approved prior to Building Permit issuance. The application shall incorporate Street Improvement Plans for work within City rights of way.

PASSED AND ADOPTED THIS 12th Day of February, 2002, by the following roll call vote:

AYES: JOHNSON, MCCARTHY, FERRAVANTI, KEMPER, WARNKE

NOES: NONE

ABSENT: CALLOWAY

ABSTAIN: NONE

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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