

RESOLUTION NO.: 02-021

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 01-020
(JOE DEARING, ALLIANCE TOWING)
APN: 009-113-010

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 outdoor storages uses in the Commercial/Light Industrial (C3) zoning district, and

WHEREAS, Section 21.21.110 defines vehicle storage as an outdoor storage use, and

WHEREAS, the applicant, Joe Dearing of Alliance Towing, represented by Don Smith, has filed a Conditional Use Permit application to establish a vehicle towing and storage use within the C3 zoning district, located at 1148 Paso Robles Street, and

WHEREAS, the project is exempt from the California Environmental Quality Act as a Class 15332 categorical exemption, and

WHEREAS, this project was opened for public hearing on March 26, 2002 and continued to the Planning Commission hearing of April 9, 2002 to allow staff to conduct a Technical Review Meeting and review the proposed conditions of approval with the applicant, and

WHEREAS, at the Technical Review Meeting on March 19, 2002, the applicant indicated that he was in agreement with the conditions of approval, and

WHEREAS, consistent with the Zoning Code and other project approvals of this type, paving of the entire vehicle storage lot is not being required, and

WHEREAS, the project location is in close proximity to the Salinas River and will require Regional Water Quality Control Board review of storm water runoff, and

WHEREAS, the Planning Commission has determined that this use is similar to a Retail and Service Establishment for the purposes of establishing off site parking requirements at a ratio of 1 parking space per 250 square feet of gross building area, and

WHEREAS, public hearings were conducted by the Planning Commission on March 26, 2002 and April 9, 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, the application was reviewed by the Development Review Committee on December 3, and December 31, 2001, and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the site specific conditions of approval listed below, the Planning Commission finds that the establishment, maintenance or operation for the requested use 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 01-020 subject to the following conditions:

SITE SPECIFIC CONDITIONS

1. This Conditional Use Permit establishes conformance with the Zoning Code of the City of Paso Robles for an existing towing and vehicle storage lot. Additional uses such as vehicle sales are not permitted from this project site.
2. This project approval shall expire on April 9, 2004 unless a time extension request is filed with the Community Development Department or a business license for this approved use and location has been issued.
3. The project shall substantially conform to the attached Exhibits:

Exhibit A Site Plan

4. Prior to issuance of a Business License, the applicant shall submit a professionally prepared landscaping plan, including automatic irrigation systems, in accordance with the requirements of the Zoning Code, for review and approval by the Development Review Committee for the following areas:
 - a. The 15-foot setback area along the northern edge of the property (along 12th Street).
 - b. The 25-foot setback area along Paso Robles Street.
 - c. The 25 foot setback area along the eastern property line and adjacent to the Salinas River bed. This landscaping shall be responsive to the riparian elements of the area.
5. Prior to issuance of a Business License, the applicant shall install the approved landscaping plan, complete with automatic irrigation system.
6. Prior to issuance of a Business License, the applicant shall plant street trees in conformance with the City's Street Tree Plan.
7. All parking lot and off-site public street improvements are to be designed by a licensed professional engineer and plans submitted to the City Engineer for review and approval prior to construction. The improvements shall be designed and placed to the Public Works Department's Standards and Specifications.

8. Prior to issuance of a Business License, and prior to submittal of necessary and required plans for street improvements and landscaping details, the applicant shall enter into an Engineering and Plan Check and Inspection Services Agreement with the City.
9. Prior to issuance of a Business License, the applicant shall construct street and sidewalk improvements consistent with City standards for an industrial street section (A-4 Standard) along Paso Robles Street and provide any necessary handicapped access at the curb return of Paso Robles Street and 12th Street.
10. Prior to issuance of a Business License, the applicant shall apply for and receive approval for a waiver of street and sidewalk improvements for the property frontage along 12th Street, OR construct street and sidewalk improvements consistent with City standards for a local street section (A-5 Standard) along 12th Street.
11. In the event Waiver 02-001 is approved, the applicant will be responsible for installing curb and gutter and landscaping, complete with an automatic irrigation system in the public right of way. The applicant shall be responsible for maintenance of this landscaping. A professional landscaping plan shall be submitted to the Development Review Committee for review and approval prior to installation.
12. Prior to issuance of a Business License and concurrent with sidewalk improvements, the applicant shall pave-out from the gutter to the edge of pavement if the existing pavement section is adequate, and shall feather the new paving out to the centerline for a smooth transition. If the existing pavement, structural sections or geometrics are inadequate per current City Standards, the roadway shall be replaced to centerline and the remaining pavement shall be overlaid.
13. Any construction within an existing street shall require a Traffic Control Plan. The plan shall include any necessary detours, flagging, signing, or road closures requested. Said plan shall be prepared and signed by a registered civil or traffic engineer.
14. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require a signature of approval by the Department of Public Works, Street Superintendent and the Community Development Department.
15. Prior to issuance of a Business License, the applicant shall design and construct an onsite 5 space parking area, including 1 handicapped space for visitors and employees and shall discontinue parking in the street right of ways. All off street parking areas and driveways shall be paved with concrete or asphalt type surfacing consistent with Section 21.22.060 Development Standards of the Zoning Ordinance.
16. All parking areas shall be kept clean and free of dust, mud and/or trash.
17. A decorative, masonry wall trash enclosure shall be constructed on site. All trash receptacles shall be kept inside the enclosure.

18. Prior to issuance of a Business License, the applicant shall screen the auto impound yard and all outdoor storage areas with a combination of walls or fences and landscaping in accordance with Section 21.21.110 of the Paso Robles Zoning Code.
19. Prior to issuance of a Business License, the applicant shall underground all overhead utilities on or adjacent to the subject property or enter into an agreement Not to Oppose the Formation of an Underground Assessment District.
20. As a portion of this lot lies within the Salinas floodway, any expansion of the use will have to conform to all provisions of the Floodplain Management Section of the Zoning Code.
21. Prior to issuance of a Business License, the applicant shall provide a letter from the Regional Water Quality Control Board stating that the applicant is in compliance with all rules and regulations for allowing storm water runoff to the Salinas River for the intended use.
22. The site and building shall be brought into conformance with all code requirements for an office or commercial use, including, but not limited to, fire code, building codes and site development codes.
23. Prior to issuance of a business license all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
24. 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.
25. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.
26. All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign.
27. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and be subject to approval by the Community Development Director or his designee.
28. All parking lot landscape planters shall have a minimum outside dimension of six feet and shall be separated from parking and driving areas by a six-inch high solid concrete curb.

29. Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department prior to the issuance of building permits.
30. It is the property owner's responsibility to insure that all construction of private property improvements occurs on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.
31. 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.

PASSED AND ADOPTED THIS 9th day of April 2002, by the following roll call vote:

AYES: CALLOWAY, FERRAVANTI, JOHNSON, KEMPER, McCARTHY,
STEINBECK, WARNKE

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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