

RESOLUTION NO.: 04-013

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 03-014  
(R&R Sportscenter Used Car Lot)  
APN: 008-163-009

WHEREAS, Table 21.16.200.F.1.b of the Municipal Code of the City of El Paso de Robles requires approval of a Conditional Use Permit for used vehicle sales in the C2 zone; and

WHEREAS, Leo Michaud on behalf of Richard Reif of R&R Sportscenter submitted a Conditional Use Permit application for used car sales for the property located at 624 24<sup>th</sup> Street, the southeast corner of Oak Street and 24<sup>th</sup> Street; and

WHEREAS, the site is currently used for the sale of new boats, with the approval of this Conditional Use Permit for used cars, the boat sales would no longer continue; and

WHEREAS, a public hearing was conducted by the Planning Commission on February 10, 2004 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, 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 03-014 subject to the following conditions:

STANDARD CONDTIONS

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 exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Standard Conditions
B	Site Plan

SITE SPECIFIC CONDITONS

3. This Conditional Use Permit (CUP) authorizes the full use of the proposed lot for the used car sales subject to the conditions of approval contained in this resolution. With the approval of CUP 03-014, the boat sales will no longer continue.
4. Prior to installation, any sign plans for the car lot shall be submitted via the sign review process to be reviewed and approved by the Development Review Committee. Building permits will be required as necessary.
5. 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.
6. There shall be no inoperative vehicles stored on the subject site or within the streets around the site. No vehicles for sale shall be parked on the public street.
7. Any signage on the vehicles, including prices shall consist of professional quality letters and numbers and shall not be hand drawn.
8. Any blimps, balloons or other temporary signs are prohibited.
9. Prior to the issuance of business license for the used car lot, the parkway along Oak Street shall be planted with 15-gallon London Plane Street trees at a distance of one tree per fifty feet. Turf or ground cover shall be planted in the remaining parkway area. Or the parkway may be finished with concrete or hardscape, such as pavers or concrete and decorative tree wells installed. Plans including the landscaping and irrigation shall be reviewed and approved by the Streets Supervisor and City Engineer.
10. Any future buildings on the site shall be permanent and be reviewed by the DRC via a minor Site Plan Review. Temporary buildings are not permitted on this site.

11. Prior to the issuance of a Business License for the used car business, the curb, gutter, sidewalk and driveway approaches on Oak Street must be prepared in accordance with City Standards and as directed by the City Engineer.
12. The applicant shall enter into an agreement not to protest the formation of an assessment district to underground the existing overhead utilities in the block.
14. Ingress and Egress is precluded on 24<sup>th</sup> Street on a regular basis. The entry exit may be used when placing larger vehicles on the site, but not as an everyday entry/exit to the site.

PASSED AND ADOPTED THIS 10<sup>th</sup> day of February 2004, by the following roll call vote:

AYES: Johnson, Ferravanti, Mattke, Kemper, Steinbeck, Flynn

NOES: None

ABSENT: Hamon

ABSTAIN: None

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CHAIRMAN TOM FLYNN

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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