

RESOLUTION NO.: 04-040
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 03-016
(Brumley)
APN: 008-081-022

WHEREAS, Conditional Use Permit 03-016 has been filed by Ken Nagahara on behalf of Dwight Brumley to construct a new 1,932 square foot auto repair shop, located at 2830 Spring Street (behind the existing retail business); and

WHEREAS, the property is zoned C2 (Highway Commercial) and the General Plan designation is CS (Commercial Service); and

WHEREAS, Section 21.16.200 of the Municipal Code requires approval of a Conditional Use Permit for auto repair facilities; and

WHEREAS, a public hearing was conducted by the Planning Commission on March 23, 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 03-016 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 exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Standard Conditions
B	Preliminary Site Plan
C	Grading and Drainage Plan
D	Floor Plan
E	Architectural Elevations

SITE SPECIFIC CONDITIONS

3. This Conditional Use Permit (CUP) the construction of the 1,932 square foot building for an automotive repair shop.
4. Prior to the installation of any signs, a sign permit shall be applied for. Building Permits will also 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 lot or on the public street.
7. 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.

PASSED AND ADOPTED THIS 23rd day of March 2004, by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN TOM FLYNN

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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