

RESOLUTION NO.: 04-041
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 04-04 & MISC. 03-009
(Michael Dzida)

APN: 008-243-018, 019 & 021

WHEREAS, the following applications were filed by Mike Dzida:

- Misc. 03-009, an application to move a house from its current location at 1845 Riverside to the vacant site located at 1121 18th Street.
- Conditional Use Permit 04-004, to allow the establishment of a new residence 1121 18th Street.

and;

WHEREAS, Chapter 17.08 of the Municipal Code requires that the Planning Commission review a building move request as an agenda item during a public hearing, and a unanimous vote is necessary for an approval; and

WHEREAS, the Building Division forwarded a memo to the Planning Division on January 12, 2004, indicating that the building is suitable to move and that the necessary signage had been posted as required by Chapter 17.08; and

WHEREAS the property in which the house would be located is zoned R3 (Multi-family Residential, Medium Density) and the General Plan designation is CS (Commercial Service); and

WHEREAS, Section 21.20.215 of the Municipal Code (Ordinance No. 719 N.S.) of the City of El Paso de Robles requires approval of a Conditional Use Permit for the development of new residential uses in the Commercial Service area bounded by 18th Street, 24th Street, the railroad tracks and Highway 101; and

WHEREAS, although the zoning designation is R3, the Ordinance requires that R2 densities be used when calculating the number of residential units on a lot in this geographic area of the City; and

WHEREAS, The Planning Division staff has determined that this application is Categorically Exempt from environmental review per Section 15303 of the State's Guidelines to Implement CEQA, 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, 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 04-004 and Misc. 03-009 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>
B	Preliminary Site Plan

SITE SPECIFIC CONDITIONS

3. Conditional Use Permit 04-004, along with Misc. 03-009 (the house moving permit) authorizes the moving of the existing house from 1845 Riverside Avenue to the lot located at 1121 18th Street.
4. Prior to issuance of the moving permit, the applicant shall obtain a transportation permit from the Public Works Department, regarding the timing of the move and the path of travel.
5. Prior to the beginning of any grading or construction, all necessary building and grading permits need to be obtained from the City. The house will need to be brought up to all current adopted codes.
6. Prior to the issuance of a building permit, Planning Staff will need to review the final site plan. The site plan needs to show the car port addition and driveway, any landscaping and any fencing. All the

necessary development standards within Chapter 21.16.I of the Zoning Code shall be complied with.

7. Prior to occupancy the applicant shall pay his share of the construction of the 18th Street sewer line.

PASSED AND ADOPTED THIS 23rd Day of March, 2004 by the following Roll Call Vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN TOM FLYNN

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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