

RESOLUTION NO.: 04-079

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 04-009
(Belmont/RITE III)

APN: 009-821-006

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 “urgent care” type medical uses in the OP zoning designation within the Gateway Center; and

WHEREAS, Keith Belmont of RITE III, Inc. on behalf of Mr. Staab, submitted a Conditional Use Permit application for a walk-in medical office with physical therapy, for one of the buildings within the Gateway Center, 500 1st Street; and

WHEREAS, a public hearing was conducted by the Planning Commission on June 22, 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, Planning Staff has determined that this Code Amendment request is exempt from CEQA review, based on the activity being covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Since the Gateway Center has already been approved for 35,500 square feet including restaurant uses and have the necessary parking, the amendment to add expanded medical uses would not seem to be a significant impact; 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 04-009 subject to the following conditions:

1. This Conditional Use Permit (CUP) authorizes the walk-in medical office and physical therapy within the Gateway Center, on Parcel 4 (500 1st Street) subject to the conditions of approval contained in this resolution. The approval of CUP 04-009

is pending the City Council approval of the second reading of Code Amendment 04-002, scheduled for the Council meeting on July 6, 2004.

2. Prior to installation any signs, the Development Review Committee will need to review the plans. Building permits will be required as necessary.
3. 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.
4. Any exterior lighting shall be reviewed and approved by Planning Staff and get any necessary building permits prior to installation.
5. Hours of operation for the business would be 7:00am to 7:00pm, Monday through Saturday.

PASSED AND ADOPTED THIS 22nd day of June 2004, by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN TOM FLYNN

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY