

RESOLUTION NO.: 05-0044

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 05-005  
(Elliot – Rocket Smog)  
APN: 009-161-020

WHEREAS, Table 21.16.200 of the Municipal Code of the City of El Paso de Robles requires approval of a Conditional Use Permit for auto repair shops in the C3 zone; and

WHEREAS, Ken Elliot Jr. on behalf of Rocket Smog, submitted a Conditional Use Permit application for an auto repair shop for the property located at 834 Paso Robles Street; and

WHEREAS, a public hearing was conducted by the Planning Commission on May 24, 2005, 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 05-005 subject to the following conditions:

STANDARD CONDITIONS

1. 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              | Site Plan          |

SITE SPECIFIC CONDITIONS

2. This Conditional Use Permit (CUP) authorizes the full use of the proposed lot and building for an auto repair shop subject to the conditions of approval contained in this resolution.

3. Prior to installation, any sign plans for the business 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.
4. 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.
5. There shall be no inoperative vehicles stored in the parking lot or on the streets around the site. Those vehicles that are inoperative and waiting for repair shall be stored within the building.
6. Any exterior lighting shall be reviewed and approved by Planning Staff and get any necessary building permits prior to installation.
7. Any necessary building permits for the facility such as ventilation systems and any other tenant improvements shall be approved prior to occupancy of the building.

PASSED AND ADOPTED THIS 24<sup>th</sup> day of May 2005, by the following roll call vote:

AYES: Johnson, Mattke, Hamon, Flynn, Steinbeck, Holstine, Menath

NOES: None

ABSENT: None

ABSTAIN: None

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CHAIRMAN ED STEINBECK

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY