

**RESOLUTION NO.: 05-0067**

**A RESOLUTION OF  
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES  
APPROVING CONDITIONAL USE PERMIT 04-015  
FOR PASO ROBLES TRANSMISSION AND REPAIR  
LOCATED AT 740 21ST STREET, APN: 008-266-003  
(APPLICANT – RON AND LINDA BERRY)**

**WHEREAS**, Conditional Use Permit (CUP) 04-015 has been filed by Ron and Linda Berry; and

**WHEREAS**, CUP 04-015 is a proposal to establish a transmission repair business; and

**WHEREAS**, the use complies with the development standards of the Zoning Ordinance and would be compatible with the surrounding uses; and

**WHEREAS**, the General Plan land use designation of the site is CS (Commercial Service) and it is in the C3 (Commercial/Light Industrial) zoning district which requires approval of a CUP to establish a transmission repair facility; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on July 26, 2005 to accept public testimony on this Conditional Use Permit application; 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 04-015 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:

<b>EXHIBIT</b>	<b>DESCRIPTION</b>
A	Site Plan

**SITE SPECIFIC CONDITIONS**

2. This Conditional Use Permit (CUP) authorizes the full use of the proposed lot and building for a transmission repair business 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, or in the existing outdoor storage area, screened from public view.
6. This CUP 04-015 is valid for a period of two (2) years from approval. Unless a business license has been issued the approval of CUP 04-015 shall expire on July 26, 2006. The Planning Commission may extend this expiration date for an additional three (3) years if a time extension application has been filed with the City along with the fees before the expiration date.
7. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
8. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
9. Use and operation of the business and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).
10. The floor in the service bay shall drain to an oil separator designed and constructed in compliance with the California Building Code, Section 3112.3.1.
11. All transmission/vehicle work shall be conducted within the enclosed service bay.
12. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and shall be subject to approval by the Community Development Director or his designee.

PASSED AND ADOPTED THIS 26<sup>th</sup> day of July, 2005 by the following Roll Call Vote:

AYES: Commissioners – Hamon, Johnson, Menath, Mattke, Holstine, Flynn, and Chair Steinbeck  
NOES: Commissioners - None  
ABSENT: Commissioners -None  
ABSTAIN: Commissioners - None

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CHAIRMAN ED STEINBECK

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY