

RESOLUTION NO.: 06-032

**A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
APPROVING CONDITIONAL USE PERMIT 06-001
TO PERMIT AN OFFICE USE OF PROPERTY LOCATED
AT 405 14TH STREET, APN: 008-312-005
APPLICANT – GEORGE DUCK**

WHEREAS, Conditional Use Permit (CUP) 06-001 has been filed by George Duck; and

WHEREAS, CUP 06-001 is a proposal to establish an accounting office at 405 14th Street, which is zoned R-2/OP (Duplex/Triplex/Office Overlay) and designated in the General Plan as RMF-8/OP; and

WHEREAS, this CUP to allow an office use on this property complies with applicable zoning requirements and implements the intent of the General Plan “...to retain and provide for residential uses as the primary use in accordance with the base residential district, but to act as a transitional district which could accommodate mixed office and residential uses”; and

WHEREAS, the applicant is intending to construct interior building alterations and exterior renovations to the home and garage that will maintain the existing residential Craftsman architectural building design; and

WHEREAS, the proposed CUP to allow an accounting office at this location will not detrimentally impact the residential character of the neighborhood since the applicant will be maintaining the existing building design, and parking spaces will be provided in locations on-site that are consistent with typical residential parking in the neighborhood; and

WHEREAS, the applicant proposes to provide six on-site parking spaces in compliance with the number of parking spaces required in the Zoning Code, by providing two spaces on the east side of the property, two spaces in the existing garage, and two spaces in front of the garage; and

WHEREAS, potential impacts to the existing 36” oak tree will be mitigated that may result from construction of the driveway and sidewalk along 14th Street with mitigation measures recommended in the project Arborist Report (dated April 13, 2006); and

WHEREAS, the Development Review Committee (DRC) considered this CUP on April 10, 2005 and recommended approval of the CUP to the Planning Commission; and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received the Planning Commission finds that the proposed business will not 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 as Conditioned in the Conditions of Approval.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 06-001 subject to the following conditions:

STANDARD CONDITIONS

1. The project shall be operated in substantial conformance with the following conditions established by this resolution:
2. 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.
3. This CUP 06-001 is valid for a period of two (2) years from approval and must be activated within this time frame. Once the CUP is activated, the entitlement shall apply to the property. 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.
4. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
5. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
6. 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).

SITE SPECIFIC CONDITIONS

7. The applicant shall provide six on-site parking spaces as shown on the Site Plan in Exhibit A, including textured, decorative pavers for the two tandem parking spaces located under the oak tree critical root zone along the east side yard, to reduce potential impacts to the oak tree.
8. The applicant shall install a garage door sized large enough to allow two vehicles to park in the existing garage. New garage doors shall be designed with the same architectural theme as the existing garage doors to match the existing Craftsman style home.
9. All signs that require permits are subject to review and approval by the Development Review Committee.

10. The building shall be brought into conformance with all applicable building codes (Title 24) prior to issuance of certificate of occupancy for an office use.
11. Site specific oak tree mitigations shall be required to constructed per recommendations by the project arborist regarding sidewalk and driveway design, and as approved by the City Engineer. Porous pavers shall be installed for those parking spaces off of 14th Street within the Critical Root Zone of the Oak Tree.

PASSED AND ADOPTED THIS 9th day of May, 2006 by the following Roll Call Vote:

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

CHAIRMAN JOHN HAMON

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY