

RESOLUTION NO. 06-042

**A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
APPROVING CONDITIONAL USE PERMIT 04-016 AMENDMENT
APN: 025-501-009 & 010**

APPLICANT –ORRIN COCKS

WHEREAS, Planned Development 04-012 Amendment has been filed by Orrin Cocks for the construction of a new 120,000 square foot self storage facility with care taker unit; and

WHEREAS, the project is located at 1601-1621 North River Road; and

WHEREAS, the General Plan land use designation is IND (Industrial) and the Zoning Ordinance district is M (Manufacturing); and

WHEREAS, in conjunction with PD 04-012, the applicant has submitted Conditional Use Permit 04-016 Amendment in accordance with Table 21.16.200; and

WHEREAS, Planned Development 04-012 & Conditional Use Permit 04-016 Amendments would replace PD 04-012 & CUP 04-016 which was approved by the Planning Commission on November 23, 2004, via Resolutions 04-133, 04-134 & 04-135; and

WHEREAS, the project associated with Planned Development 04-012 & Conditional Use Permit 04-016 were never built; the site is currently vacant; and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 23, 2006 on this commercial project, to accept public testimony on the Planned Development application, PD 04-012 Amendment and associated environmental review; and

WHEREAS, a resolution was adopted by the Planning Commission approved a Negative Declaration status for this project, and a Negative Declaration was prepared for the proposed Planned Development application in accordance with the California Environmental Quality Act, and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

1. 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.

2. As conditioned, the project is consistent with the adopted codes, policies, standards and plans of the City; and
3. The project is consistent with the adopted policies of the General Plan and Zoning Code by providing general industrial activities in the Industrial (IND) land use category and the Manufacturing (M) zoning district; and
4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 04-016 subject to the following conditions:

1. Any site specific condition imposed by the Planning Commission in approving this project 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 approval of this project. 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 for this approval.
2. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 04-012 Amendment and its exhibits.
3. Temporary construction noise levels in excess of 60 decibels shall be restricted to the daylight hours of 7am to 6pm. Noise levels shall be measured or monitored from site boundaries or the nearest adjoining residential use to determine compliance.
4. Use and operation of the project 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).
5. The use of rental units shall be limited to storage. Renters may conduct minor maintenance such as cleaning, minor repairs, spot painting to their privately owned boats, trailers and other

recreational vehicles. However, no rental space shall be used for any retail or service commercial uses including business or professional offices, retail sales, services provided for a fee, or fabrication of any products intended for sale. (Zoning Code Section 21.21.080.F)

PASSED AND ADOPTED THIS 23rd day of May, 2006 by the following Roll Call Vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN JOHN HAMON

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY