

RESOLUTION NO.: 06-0052

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 04-008 AMENDMENT
(Gallagher Auto Sales Expansion)
APN: 009-112-006 & 008

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 used vehicle sales in the C3 zone; and

WHEREAS, Jeffrey Gallagher submitted an application to amend Conditional Use Permit 04-008 to expand the existing Auto / RV Sales business to the adjacent property to the north (1041 Paso Robles Street); and

WHEREAS, Mr. Gallagher is also requesting the ability to allow minor repair and parts installation for RV's, but not for automotive repair; and

WHEREAS, a public hearing was conducted by the Planning Commission on June 27, 2006 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 04-008 Amendment 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
B	Arborist Report

SITE SPECIFIC CONDITIONS

2. This Conditional Use Permit (CUP) authorizes the full use of the proposed lot for the used Auto and RV sales, as well as the limited repair and parts installation for RVs subject to the conditions of approval contained in this resolution.
3. Prior to the issuance of a Business License and prior to parking vehicles on the lot, the following conditions need to be met:
 - a. The existing white metal poles located along the property lines shall be removed.
 - b. A landscape plan shall be submitted to be reviewed by the DRC that shows revised landscaping along the Paso Robles Street frontage that includes new street trees. The new landscaping will need to be installed prior to the issuance of the business license.
 - c. Landscaping shall be installed along the western property boundary. The landscaping shall include the installation of two (2) 15-gallon London Plane Sycamore trees, and the installation of 5-gallon shrubs, 10-feet on center.
 - d. Improvements to the area within the oak tree Critical Root Zone, as recommended in the Arborist Report (attached as Exhibit B).
 - e. The property owner shall enter into an agreement not to protest the formation of an assessment district to underground the existing overhead utilities in the block.
4. Automobile repair is not permitted with this Conditional Use Permit Amendment.
5. Prior to installation, any sign plans for the lot 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.
6. 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.
7. There shall be no inoperative vehicles stored on the subject site or within the streets around the site. No vehicles for sale shall be parked on the public street.
8. Any signage on the vehicles, including prices shall consist of professional quality letters and numbers and shall not be hand drawn.

9. Any blimps, balloons, banners or other temporary signs are prohibited.
10. Within 6-months of the Planning Commission approval of the CUP, a decorative masonry trash enclosure (split-face block, slump stone or stucco covered precision block) shall be installed. Screened metal gates will need to be installed.
11. Any existing or new exterior lighting shall be reviewed and approved by Planning Staff for proper shielding and get any necessary building permits prior to installation.

PASSED AND ADOPTED THIS 27th day of June 2006, by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN JOHN HAMON

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY