

RESOLUTION NO: 06-0098

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 06-009  
(Bruce White)  
APN: 009-033-012

WHEREAS, Section 21.18.A of the Municipal Code of the City of El Paso de Robles requires approval of a Conditional Use Permit for the conversion of residences to professional office uses in the R2,OP zone; and

WHEREAS, Bruce White has submitted a Conditional Use Permit application for the conversion of the property located at 1337 Vine Street; and

WHEREAS, the request for the Conditional Use Permit is to convert the primary house (Building A) into a professional office and to reconstruct the existing shop/barn (Building B) into a two story building where the bottom floor would be professional office and the second story would be a studio apartment; and

WHEREAS, the applicants are requesting that the Planning Commission approve the use of shared parking for two parking spaces between the studio apartment and the office uses; and

WHEREAS, the applicants are requesting that the Planning Commission approve the use of four tandem parking spaces for the use of the front office; and

WHEREAS, a public hearing was conducted by the Planning Commission on November 28, 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, the applicant is requesting to demo a portion of Building A and removal of the existing detached garage, since these structures are listed in the City's Historic Inventory, they will need to be reviewed by the City Council prior issuance of a demolition permit; and

WHEREAS, Building B, the detached barn/shop appears to be a C. Dunn type barn most likely built in the 1970's and would not have historical significance and therefore would not need to go to Council for demolition; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 1503 of the State's Guidelines to Implement CEQA: Note, if the City Council determines that if either of the demolition requests associated with this project will impact a historic resource, then the demolition will be subject to CEQA and would likely trigger an Environmental Impact Report (EIR); 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 06-009 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	Landscape Plan
C	Architectural Elevations (Bldg. A)
D	Floor Plans (Bldg. B)
E	Architectural Elevations (Bldg. B)
F	Arborist Report

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 06-009 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. This Conditional Use Permit (CUP) authorizes the conversion of the existing residential (Bldg. A) to a professional office and the reconstruction in (Bldg. B) to an office/studio apartment, with associated site improvements such as parking lot and landscaping, subject to the conditions of approval contained in this resolution. This approval also allows sharing two parking spaces between the residential and office uses as well as the use of **four** tandem parking spaces for Building A.
8. 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.
9. Prior to the recordation of Parcel Map PR 05-0302, an easement needs to be provided over the existing sidewalk along the southern side of Building A, or a separate sidewalk needs to be installed within an easement so that people can get from the sidewalk to the rear office building.
10. Prior to the recordation of Parcel Map PR 05-0302, a reciprocal parking and access easement needs to be provided over the parking lot and driveway located at the rear of the site off of the alley. The driveway and parking area located on the front of the lot, off of Vine Street, is intended only for the front office (Building A).
11. Prior to the issuance of a building permit, the site plan needs to be submitted for staff review, relocating the decorative masonry trash enclosure out of the oak tree drip line.
12. Prior to the issuance of a demo permit for the addition of the existing house (Building A) and the detached garage, the applicant will need to submit an application for a demo permit to be reviewed by the City Council.
13. Prior to installation, any sign plans for the office 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.
14. 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.

15. Prior to occupancy of the building permit for Building A or B, the alley must be improved in accordance with City Standard A-17 from the south boundary of the property north to 14<sup>th</sup> Street. A standard alley approach is required at 14<sup>th</sup> Street.
16. Prior to occupancy of the building permit for Building A or B, the applicant shall reconstruct the existing sidewalk adjacent to the property on Vine Street.
17. Prior to occupancy of the building permit for Building A or B, the applicant shall enter into an agreement not to protest the formation of an assessment district to underground existing overhead utilities in the block.

PASSED AND ADOPTED THIS 28<sup>th</sup> day of November 2006, by the following roll call vote:

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

NOES: Withers

ABSENT: None

ABSTAIN: None

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CHAIRMAN JOHN HAMON

ATTEST:

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RON WHISENAND, PLANNING COMMISSION SECRETARY