

RESOLUTION NO: 08-050

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING CONDITIONAL USE PERMIT 08-007
AT 1324 VENDELS CIRCLE, SUITE 101
APPLICANT: MID-STATE CUSTOM CYCLES
APN: 009-633-028

WHEREAS, Table 21.16.200 of the City of El Paso de Robles' Zoning Code requires approval of a Conditional Use Permit for motorcycle repair in the M-PD zone; and

WHEREAS, the applicant, Mid-State Custom Cycles, has proposed a Conditional Use Permit to establish motorcycle repair shop and ancillary activities of selling parts and clothing at 1324 Vendels Circle, Suite 101; and

WHEREAS, the proposed use is compatible with the surrounding land uses, and it will not significantly impact traffic congestion at the Highway 46 West and 101 interchange; and

WHEREAS, a public hearing was conducted by the Planning Commission on November 12, 2008, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this Conditional Use Permit; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15301 Existing Facilities, Class 1 of the State's Guidelines to Implement CEQA; 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 makes the following finding:

1. The Planning Commission finds that the establishment, maintenance or operation of the motor cycle repair shop will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the vicinity of the proposed use.
2. The Planning Commission finds that the proposed motorcycle repair shop will not be injurious or detrimental to property and improvements in the area or to the general welfare of the City because it shall comply with all applicable zoning, building and municipal codes.
3. By allowing the use, the Planning Commission finds that proposed motorcycle repair shop meets the General Plan Business Park land use category by encouraging new industry to locate in the City and stay within the City while conducting all of its activities indoors which allows for clean and attractive businesses.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 08-007 subject to the following conditions:

1. This Conditional Use Permit (CUP) authorizes the use of a motorcycle repair shop and ancillary activities of selling parts and clothes.
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 shall be reviewed by staff after six months from date of operation at which time staff will report back to the Planning Commission on whether the business is being conducted in compliance with the applicable conditions and if there have been any problems, complaints, or nuisances reported to the City. In the event that it is determined during this review that a nuisance has resulted from the use, the Planning Commission may direct that a public hearing be scheduled to consider the Conditional Use Permit.
4. Prior to commencing the operation of the business, the applicants shall obtain Building Permits for any tenant improvements and comply with all required Building and Fire Codes related to the proposed change in use.
5. All business signage (including temporary signs) shall comply with the City Sign Ordinance. A sign permit shall be approved prior to installation of any business signs.
6. Prior to the issuance of a Certificate of Compliance/opening of the business, all of the Departments involved (Building, Fire, Police & Planning) shall ensure that all of the conditions of approval listed in this resolution have been satisfied.
7. All motorcycle repair work and storage of motorcycles, parts, and materials shall be conducted and/or stored indoors.

PASSED AND ADOPTED THIS 12th day of November 2008, by the following roll call vote:

AYES: Flynn, Hodgkin, Johnson, Peterson, Steinbeck, Trench

NOES: None

ABSENT: Holstine

ABSTAIN: None

CHAIRMAN ED STEINBECK

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY