

RESOLUTION NO. 12-014
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 11-013
(METRO PCS)
APN: 009-314-013

WHEREAS, section 21.16.200.D.2 of the Municipal Code of the City of El Paso de Robles requires approval of a Conditional Use Permit for transmission and receiving stations in the PM (Planned Industrial) zoning district; and

WHEREAS, the applicant, Metro PCS, has filed a Conditional Use Permit application to construct a wireless communication facility as a faux flag pole located at 1720 Commerce Way; and

WHEREAS, the facility will have a camouflaged design, consisting of a new 50'-tall monopole/flag pole; and

WHEREAS, separate ground mounted equipment would be located within a 7-foot tall fenced in area; and

WHEREAS, and since the antennas will be concealed within the flag pole, the project would be consistent with Land Use Element Policy 2B, relating to visual identity, including utility infrastructure; and

WHEREAS, a public hearing was conducted by the Planning Commission on April 10, 2012, 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 and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance and operation for the requested use and building would be consistent with the General Plan and 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.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 11-013 subject to the following 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 | Equipment and Antenna Plan |
| C | Elevations |

2. This Conditional Use Permit (CUP) authorizes the construction of a wireless communication facility at 1720 Commerce Way, where the antenna panels would be concealed within a faux flag pole, that would be 50 feet tall, in a manner described in attached exhibits.
3. This project approval shall expire on April 10, 2014, unless a building permit is issued for the project, or unless a time extension request is filed with the Community Development Department prior to expiration.
4. Landscaping and irrigation shall be provided in front of the fence on the north, south and west sides. Final landscape plan to be approved by staff prior to the issuance of a building permit for the cellular facility.
5. The American Flag shall be maintained regularly as needed to insure that the flag is kept in good condition.
6. The maintenance of the site including the flag lighting, fencing, and landscaping shall be performed on a regular basis to insure that the site is kept in good condition.
7. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Conditional Use Permit process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
8. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
9. 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.

PASSED AND ADOPTED THIS 10th day of April, 2012 by the following Roll Call Vote:

AYES: Treatch, Holstine, Barth, Vanderlip, Garcia

NOES: None

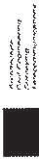
ABSENT: Peterson, Gregory

ABSTAIN: None


 CHAIRMAN, AL GARCIA

ATTEST: 
 ED GALLAGER, SECRETARY OF THE PLANNING COMMISSION

ARCHITECT



omni
 CONSULTANT
 1725 COMMERCE WAY, SUITE 200
 PASO ROBLES, CA 93246
 PHONE: 805.745.1020
 FAX: 805.745.1021

SEALED

| REV. | DATE | DESCRIPTION | BY |
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| DESIGNER: | SMS |
| CHECKER: | CHC |
| DATE: | 03/26/12 |

SUBJECT: SITE DATE
 03/26/12

ISSUED FOR:
 100% ZONING

PROJECT INFORMATION:
PASO ROBLES EAST
 SF903408
 1725 COMMERCE WAY
 PASO ROBLES, CA 93246
 COUNTY OF SAN LUIS OBISPO

SHEET TITLE: ELEVATIONS
 SHEET NUMBER: 855-174A
 REGION:

A-3

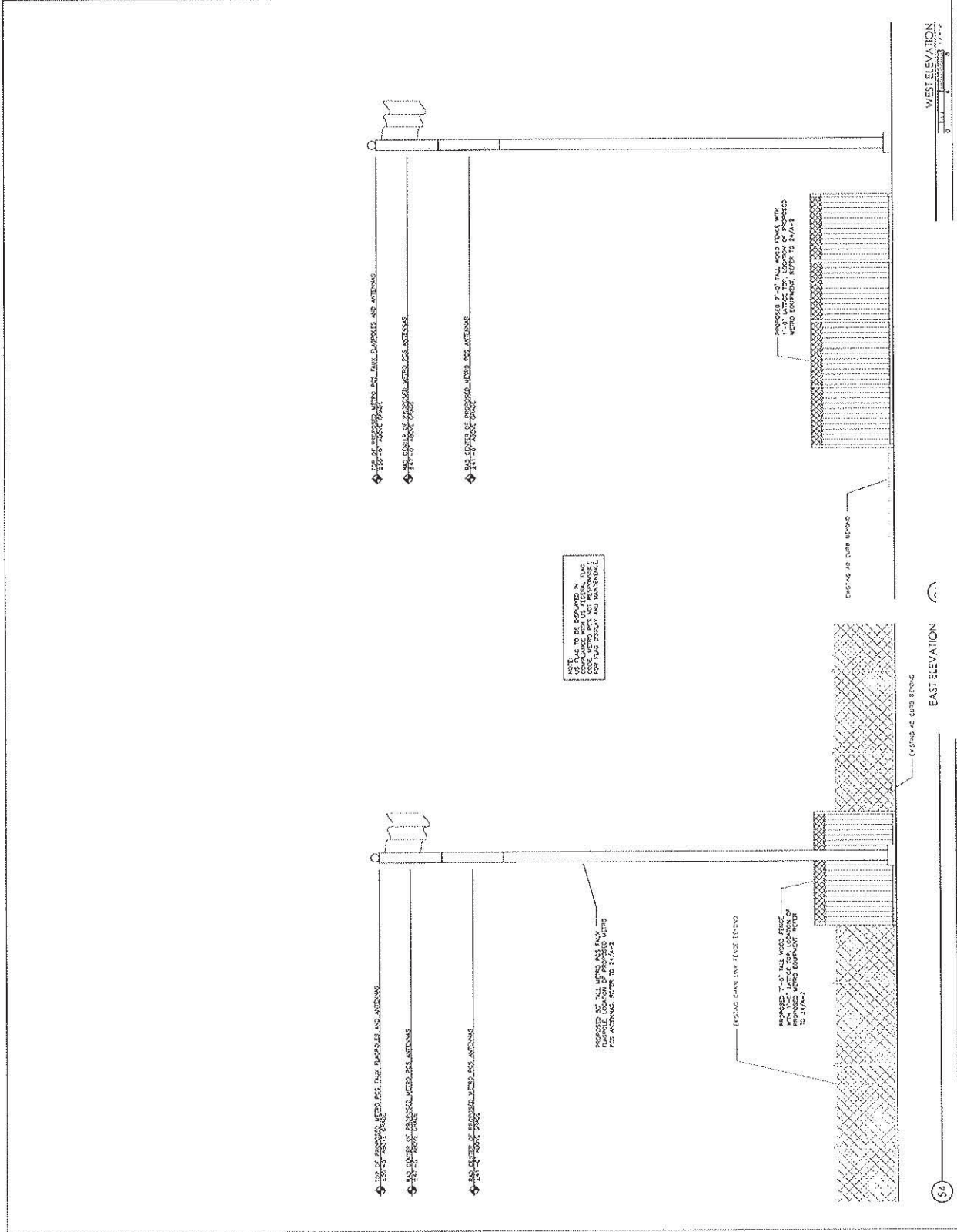


Exhibit C
 Elevations
 CUP 11-013
 (Metro-PCS)