

RESOLUTION NO. 13-004

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 11-011 AMENDMENT  
(AT&T MOBILITY)  
APN: 025-491-001

WHEREAS, the City has leased a portion of its property (the "Site") at the City landfill to allow for the installation and operation of a cellular facility; and

WHEREAS, a new lease for the Site was entered into between the City and New Cingular Wireless PCS, LLC, a Delaware limited liability company ("AT&T"), dated September 1, 2011; and

WHEREAS, the lease requires that the existing conditional use permit for the facility be updated to reflect the correct number and configuration of antenna on the facility; and

WHEREAS, Resolution 00-075 was approved by the Planning Commission on October 24, 2000, allowing the upgrade of an existing cellular facility to the existing 120-foot tall mono-pole, which included the installation of a 4-foot diameter microwave dish; and

WHEREAS, AT&T has filed a Conditional Use Permit Amendment application to replace the existing 9 panel antenna array with a new 12 panel antenna array; and

WHEREAS, a public hearing was conducted by the Planning Commission on February 25, 2013, 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 11-011 Amendment 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:

EXHIBIT                      DESCRIPTION

A                                      Photo of Existing & Proposed Facility

2. This Conditional Use Permit (CUP) authorizes the replacement of the existing 9-panel antenna array with a new 12-panel antenna array, as shown in Exhibit B. The 12 panel along with the existing 6 panel antennas would be a total of 18 panel antennas.
3. This project approval shall expire on February 25, 2015, 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. 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.
5. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
6. 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 25<sup>th</sup> day of February, 2013 by the following Roll Call Vote:

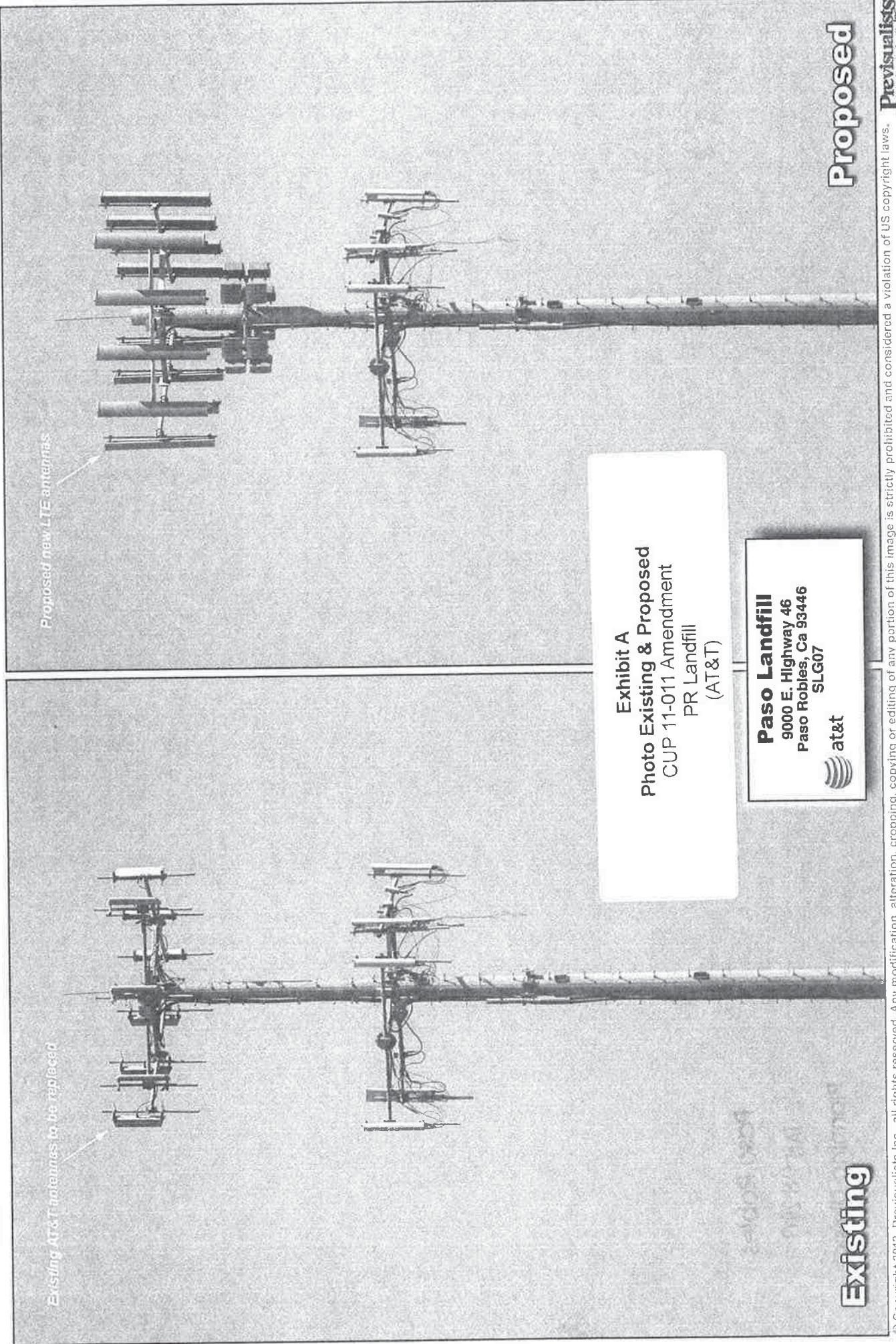
AYES:                      Gregory, Rollins, Holstine, Garcia, Nash, Barth, Vanderlip  
NOES:                      None  
ABSENT:                      None  
ABSTAIN:                      None

  
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VINCE VANDERLIP, CHAIRMAN

ATTEST:

  
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ED GALLAGHER, SECRETARY OF THE PLANNING COMMISSION

Photosimulation of a telephoto zoom view showing detail of the proposed upgrades, as seen from the access road.



**Exhibit A**  
**Photo Existing & Proposed**  
CUP 11-011 Amendment  
PR Landfill  
(AT&T)

**Paso Landfill**  
9000 E. Highway 46  
Paso Robles, Ca 93446  
SLG07

