

RESOLUTION NO: 14-028

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 14-011
(SHERRY MERINO)
APN: 008-286-002

WHEREAS, Code Amendment 14-001 is in process to amend Table 5.3-1 Allowed Land Uses within the Uptown Town Center Specific Plan, to allow fortunetelling, physics, and related services in the T3-F zoning district, subject to the approval of a Conditional Use Permit (CUP); and

WHEREAS, concurrent with Code Amendment 14-001, Sherry Merino, has filed a CUP application to establish and operate a fortunetelling business, within the existing building located at 1636 Spring Street; and

WHEREAS, CUP 14-011 could not be established until the City Council has adopted an Ordinance approving Code Amendment 14-001; and

WHEREAS, this application is categorically exempt from environmental review per Section 15301 (existing building) of the State's Guidelines to Implement CEQA; and

WHEREAS, a public hearing was conducted by the Planning Commission on September 23, 2014, 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; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 14-011, subject to the following conditions:

1. This Conditional Use Permit (CUP) authorizes the establishment a fortunetelling business within the existing business located at 1636 Spring Street, subject to the City Council approving Code Amendment 14-001, and said code amendment becoming effective (31 days following second reading of the ordinance).
2. Any signage shall be in compliance with the City's sign ordinances and approved by the Development Review Committee.
3. 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.

4. 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 23rd day of September, 2014 by the following Roll Call Vote:

AYES: Garcia, Gregory, Barth, Cooper, Donaldson, Gregory
NOES: None
ABSENT: Rollins
ABSTAIN: None



DOUG BARTH, CHAIRMAN

ATTEST:



ED GALLAGHER, SECRETARY OF THE PLANNING COMMISSION