



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL AGENDA

Tuesday, September 19, 2006 7:30 PM

ADDENDUM to Regular Meeting

MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL
CONFERENCE CENTER, 1000 SPRING STREET

To correct clerical error within draft Resolution No. 06-XXX for Item No. 2, Option "b":

Replace pages 16 and 17 with attached pages, 16 to 19.

2. **Appeal of Conditional Use Permit – The Vine Church at 821 Pine Street**

R. Whisenand, Community Development Director

For the City Council to consider an Appeal of the Planning Commission's decision to approve a Conditional Use Permit to establish a church (The Vine Church) at 821 Pine Street.

OPTIONS:

- a. Adopt Resolution No. 06-XXX, denying Conditional Use Permit 06-005 or
- b. Adopt Resolution No. 06-XXX, approving Conditional Use Permit 06-005, or
- c. Amend, modify, or reject the above option.

*** End of Addendum ***

All persons desiring to speak on agenda items are asked to fill out a *Speaker Information Card* and place it at the Staff Table prior to the start of discussion of the agenda item. Each individual speaker will be limited to a presentation total of three (3) minutes per person, per item.

AMERICANS WITH DISABILITIES ACT Individuals who, because of a disability, need special assistance to attend or participate in this meeting, may request assistance by contacting the City Clerk's Office (805) 237-3960. Whenever possible, requests should be made 4 working days in advance.

RESOLUTION NO. 06-

A RESOLUTION OF
THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
APPROVING CONDITIONAL USE PERMIT 06-005
TO ESTABLISH A CHURCH AT 821 PINE STREET
APN: 009-154-008, APPLICANT – THE VINE CHURCH/CRIS DECIOUS

WHEREAS, Conditional Use Permit (CUP) 06-005 has been filed by The Vine Church/Cris Decious; and

WHEREAS, CUP 06-005 is a proposal to establish a church; and

WHEREAS, the City's General Plan and Economic Development Strategy include policies that support development of the downtown with a range of land uses; and

WHEREAS, the City has concerns regarding potential land use conflicts in an expanding downtown and the right of the church to protest alcohol related uses, the City Council has determined that these concerns can be addressed through the Department of Alcoholic Beverage Control noticing and review process; and

WHEREAS, should land use conflicts result in the future due to the location of the church and proposed restaurant and entertainment businesses, the Conditional Use Permit for the church use may be referred to the Planning Commission for determination of land use compatibility of the church use in the downtown; and

WHEREAS, the church requests to be permitted to conduct regular services for up to 100 persons on Sunday mornings (between 9 am and 12 pm), and on Sunday and Wednesday evenings (6 to 9 pm), and to conduct one week per year of evening (Bible Study) meetings, and twice a year allow three evenings for special events; and

WHEREAS, the City Council held a duly noticed public hearing on September 19, 2006 to accept public testimony on this Conditional Use Permit application; and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received the City Council finds it acceptable to establish a church at the proposed location.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby approve Conditional Use Permit 06-005 and Joint Use Parking per Section 21.22.130 of the Zoning Code, subject to the following conditions:

STANDARD CONDITIONS

1. The project shall be operated in substantial conformance with the following conditions established by this resolution:
2. Any condition imposed by the City Council in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the City Council 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 Council 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 06-005 is valid for a period of two (2) years from approval. Unless a business license has been issued the approval of CUP 06-005 shall expire on September 19, 2008. The City Council 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. A sign permit shall be required prior to installation of any signs, and shall be reviewed and approved by the Development Review Committee.
8. The church may be allowed to occupy up to 1,600 sq. ft. with 100 seats, the retail area may occupy up to 1,600 sq. ft., and the office may be allowed to occupy up to 1,505 sq. ft. of the total area.
9. No other uses, including daycare or a school shall be permitted.

10. The church may be permitted to conduct regular services for up to 100 persons on Sunday mornings (between 9 am and 12 pm), and on Sunday and Wednesday evenings (6 to 9 pm), and to conduct one week per year of evening (Bible Study) meetings, and twice a year allow three evenings for special events

PASSED AND ADOPTED THIS 19th day of September, 2006 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

FRANK R. MECHAM, MAYOR

ATTEST:

DEBORAH ROBINSON, DEPUTY CITY CLERK

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

Newspaper: Tribune

Date of Publication: September 8, 2006

Meeting Date: September 19, 2006
(City Council)

Project: Appeal of Conditional Use Permit
06-005 (The Vine - 821 Pine St.)

I, Lonnie Dolan, employee of the Community
Development Department, Planning Division, of the City
of El Paso de Robles, do hereby certify that this notice is
a true copy of a published legal newspaper notice for the
above named project.

Signed: 
Lonnie Dolan

forms/newsaffi.691

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing on Tuesday, September 19, 2006, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider the following project:

An Appeal of a Planning Commission decision approving a Conditional Use Permit (CUP 06-005) to establish a church (The Vine) at 821 Pine Street, APN 009-154-008.

The Appeal and staff report may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.

Written comments on the Appeal may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Susan DeCarli at (805) 237-3970.

If you challenge the Appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at or prior to the public hearing.

Susan DeCarli, AICP
City Planner

September 8, 2006

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