

PC RESOLUTION NO. 2008-19

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROHNERT PARK,
CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR A WHOLESALE FOOD
PRODUCTION (BAKERY) AND DISTRIBUTION FACILITY
LOCATED AT 35 EXECUTIVE AVENUE, SUITE 4,
FILE NO. PL2008-013UP (APN: 143-490-008)**

WHEREAS, Michael Garzouzi, representative for Killer Baking Company, filed Planning Application PL2008-013UP for consideration of a Conditional Use Permit for a 580 square foot facility for a wholesale food production (bakery) and distribution facility in accordance with plans and narrative which were date stamped received by the City of Rohnert Park on April 21, 2008.

WHEREAS, Planning Application No. PL2008-013UP was deemed complete on April 22, 2008 and was processed in the time and manner prescribed by State and local law;

WHEREAS, public hearing notices were appropriately posted and mailed to the property owners adjacent and within 300 feet of the project site;

WHEREAS, on May 8, 2008 the Planning Commission reviewed the request for Conditional Use Permit for a wholesale food processing (bakery) and distribution facility during a scheduled public hearing at which time interested persons had an opportunity to testify either in support or opposition to the project; and,

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF
ROHNERT PARK DOES RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1. That the above recitations are true and correct.

Section 2. Findings. The Planning Commission, in approving Planning Application No. PL2008-013UP makes the following findings:

- A. *That the proposed location of the wholesale food production (bakery) and distribution facility is consistent with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located;*

Criteria Satisfied: The "I-L" zoning district conditionally permits wholesale food processing (bakery) and distribution facilities. The proposed 580 square foot business is consistent with the Zoning Ordinance objectives which at a minimum require land uses to be harmonious, convenient and workable. The proposal is also consistent with the purpose of the "I-L" zoning district which is to provide areas for offices, light manufacturing and assembly, industrial processing, general service, warehousing, storage and distribution, and service commercial uses. The proposed wholesale food processing (bakery) and distribution facility is consistent with the uses that are intended to occupy the industrially designated areas.

- B. *That the proposed location of the wholesale food production (bakery) and distribution facility and the conditions under which it would be operated and maintained will not be detrimental to the public health, safety, or welfare, or*

materially injurious to properties or improvements in the vicinity, and that the operation and maintenance of the conditional use will be compatible with the surrounding uses.

Criteria Satisfied: The location of the 580 square foot wholesale food production (bakery) and distribution facility is on a site which is already developed with several large industrial structures and associated site improvements. The applicant shall be required to comply with all State and local food processing regulations and acquire all of the necessary permits to operate the facility. Therefore, the use will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

- C. *The proposed wholesale food production (bakery) and distribution facility will comply with each of the applicable provisions of this title.*

Criteria Satisfied: This resolution applies conditions of approval which require compliance with the Zoning Code and other applicable Codes.

Section 3. Environmental Clearance. The project is categorically exempt from the California Environmental Quality Act, pursuant to California Code of Regulations, Title 14, Chapter 3, Section 15301 (Class 1 – Existing Facilities).

NOW THEREFORE BE IT RESOLVED, that the Planning Commission does hereby approve Application No. PL2008-013UP for a wholesale food production (bakery) and distribution facility located at 35 Executive Avenue, Suite 4 subject to the following conditions:

1. Expiration of Approval – Pursuant to the City of Rohnert Park Municipal Code, the Conditional Use Permit approval shall expire one (1) year from the Planning Commission approval date, unless prior to the expiration a building permit is issued for the building expansion and construction is commenced and diligently pursued toward completion; or an extension is requested prior to the expiration of this application.
2. Conformance with Municipal Code and Other Agency Plans – All improvements shall comply with the project details that were submitted to the City of Rohnert Park and date stamped received on April 21, 2008 as well as all applicable sections of the City of Rohnert Park Municipal Code and any applicable requirements of other agencies.
3. Permits – The applicant shall obtain all necessary permits and clearances from the City of Rohnert Park and/or other Agencies as required by law, including but not limited to City of Rohnert Park Building, Public Safety Departments and State/local health departments prior to the issuance of a building permit.
4. Signs - This is an existing non residential multi-tenant building. Per Section 17.27.030 B.3., the applicant is not required to obtain approval of a sign program unless more than 60% of the existing signage or building exterior is going to be rehabilitated within one year. An

individual sign for the site may be reviewed administratively by the Department of Community Development.

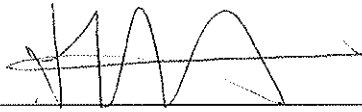
BE IT FURTHER RESOLVED that said action shall not be deemed final until the appeal period, which is 10 working days from the date of said action, has expired. No building permits shall be issued until the appeal period has expired, provided no appeals have been filed.

DULY AND REGULARLY ADOPTED on this 8th day of May, 2008, by the City of Rohnert Park Planning Commission by the following vote:



Amy Ahanotu, Planning Commission Chairman

Attest:



SONIA ESPINO, RECORDING SECRETARY

AYES: 5 NOES: 0 ABSENT: ABSTAIN:

ADAMS: ✓ AHANOTU: ✓ ARMSTRONG: ✓ CALLINAN: ✓ KILAT: ✓