

RESOLUTION PC 12-4293

A RESOLUTION OF THE CITY OF SAN MARCOS PLANNING
COMMISSION DENYING AN APPEAL OF A MINOR
CONDITIONAL USE PERMIT TO ALLOW THE OPERATION
OF AN OCCUPATIONAL SAFETY TRAINING FACILITY
WITHIN AN EXISTING INDUSTRIAL BUILDING IN THE
LIGHT INDUSTRIAL AND DESIGN OVERLAY (L-M/(DZ))
ZONE IN THE COLLEGE NEIGHBORHOOD

CUP 11-869
Pacific Safety Solutions

WHEREAS, on October 21, 2011, an application was received from Cory Messer of Pacific Safety Solutions requesting a Minor Conditional Use Permit for the operation of a 3,108 square-foot occupational safety training facility within an existing industrial building located at 2892 S. Santa Fe Avenue, Suite 110, in the Light Industrial and Design Overlay (LM/DZ) Zone in the College Neighborhood, more particularly described as:

Lot 1, of San Marcos Tract No. 478, of Map No. 15765, in the City of San Marcos,
County of San Diego, State of California
Assessor's Parcel Number: 217-161-25-10

WHEREAS, the Development Services Department did study said request and does recommend approval of requested use; and

WHEREAS, said request was reviewed by the Administrative Hearing Officer and an administrative decision was made on April 4, 2012, subject to conditions based on the findings contained in Conditional Use Permit Resolution AH 12-4279; and

WHEREAS, an Appeal was filed by James Flores of ZRG Inc., on April 16, 2012, in opposition to the decision of the Administrative Hearing Officer; and

WHEREAS, the Planning Commission held an appeal hearing on May 7, 2012 which was duly advertised and held in the manner prescribed by law; and

WHEREAS, Planning Commission denied the appeal based on the following findings and determinations:

1. As a unique use not identified within the City's Municipal Code, the use has been identified as a service type use (catering to electrical, telecommunication, and construction contractors only) that complies with the purpose and intent of the Light Industrial zone, and is well grouped with other businesses located within the same industrial park and surrounding uses. Therefore, granting of the Conditional Use Permit, as conditioned, will not adversely affect the implementation of the General Plan for the College Neighborhood.
2. The granting of the Conditional Use Permit, as conditioned, will not be materially

detrimental to the public health, safety and welfare or injurious to property or improvements within the area in that the use compatible with other businesses within the industrial park, the facility will operate within an existing enclosed building, will have adequate on-site parking and access, and will be conditioned to prevent any noise or loitering nuisances.

3. The granting of the Conditional Use Permit assures that the occupational safety training facility is compatible with other light industrial uses within the industrial park and surrounding properties.

NOW, THEREFORE, the Planning Commission resolves as follows:

- A. The foregoing recitals are true and correct.
- B. The Conditional Use Permit is approved per the adopted Conditional Use Permit conditions contained in Resolution AH 12-4279.

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 7th day of May 2012, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

APPROVED:

Dean Nelson, Chairperson
City of San Marcos Planning Commission

ATTEST:

Lisa Kiss, Office Specialist III
City of San Marcos Planning Division