

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE PERMIT 06-008 - APN: 008-135-020
(APPLICANT: BRENT FLYNN)

DATE: FEBRUARY 27, 2007

Needs: For the Planning Commission to consider an application filed by Vincent & Murphy, Inc. on behalf of Brent Flynn, requesting to construct a 50-foot tall highway oriented sign for Taco Bell.

Facts:

1. The site is located at 1107 24th Street, the existing Taco Bell restaurant on the northeast corner of Riverside Ave. & 24th Street (See attached Vicinity Map, Attachment 1).
2. The existing building will soon be demolished and a new Taco Bell restaurant will be built on the site in the near future. The new Taco Bell building was approved by the Development Review Committee (DRC) via Site Plan 06-017 on September 18, 2006.
3. In conjunction with the new restaurant, Brent Flynn is requesting to construct a new highway oriented pole sign.
4. The pole sign is proposed to be 50-feet tall; the sign cabinet would be 179 square feet and be internally illuminated. (See sign elevation, Attachment 2)
5. Section 21.19.040.H, Sign Ordinance, would allow the installation of a pole sign in this geographic area of the City with the Planning Commission's approval of a Conditional Use Permit and meeting the following requirements:
 - a. Purpose. A conditional use permit for a highway-oriented sign shall be approved for those signs that identify tourist-oriented businesses such as gasoline service stations, restaurants, motels and regional commercial uses.
 - b. Design. The city shall limit the number, height and visual impact of highway-oriented signs when considering the conditional use permit. Pole signs shall be discouraged if adequate signage can be provided on the sides of buildings and in the form of monument signs. Combinations of more than one sign on a pole are strongly encouraged.

- c. Height. The height of permitted signs shall be limited to the lowest practical elevation when considering the line of sight from nearby highways. However, the planning commission or the DRC may require minimum clearances beneath a highway-oriented sign if necessary to protect the public health and safety.
6. The DRC reviewed the proposed pole sign at their meeting on September 18, 2006, where they requested that the applicant prepare a height analysis and provide photo simulations of the proposed sign.
7. The applicant hired a crane to locate on site and provide a mock-up of the sign at the proposed 50-foot height and at a 40-foot height. (See photos, Attachment 3)
8. From photos taken of the mock-up, the applicant provided photos simulations of the sign. (Attachment 4)
9. There are other pole signs on adjacent properties such as the KFC sign that is approximately 30-feet high, and the Big Bubba's sign which is approximately 15-feet in height. Neither the KFC sign nor the Big Bubba's signs can be seen from the Black Oak/24th Street intersection. Pole signs that are located closer to Black Oak Drive, such as the ARCO and Shell, have signs that are up to 80-feet tall.
10. At their meeting on December 11, 2006, staff presented the photos of the sign mock-up along with the photo simulations of the sign to the DRC. The DRC did not take action on the sign, but recommended that the CUP go forward to the Planning Commission for further discussion and action. The DRC questioned whether the additional highway oriented sign would meet the City's Gateway Standards that are in the process of being developed.
11. This application is Categorically Exempt from environmental review per Section 15301c of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

**Analysis
and**

Conclusions: The existing Taco Bell restaurant has not had a highway oriented sign. With the construction of the new building, the applicant would like to construct a pole sign that would be visible from the Black Oak Drive & 24th Street intersection.

When reviewing the criteria for the approval of a pole sign (as described in Fact No. 5 above) it would seem that the proposed sign would meet the criteria for approval, since the Taco Bell restaurant is considered a highway

oriented business, and since the building does not have visibility from the Black Oak/24th Street intersection. Additionally, the proposed 50-foot height would seem reasonable since the height is necessary in order to be seen from the intersection. As shown in the attached photos, at the 40-foot height the lower half of the sign would be behind the existing Big Bubbas BBQ building (or at least be blocked by the flags).

At the DRC meetings, questions were raised on whether the proposed sign would be in conflict with the City's Gateway Standards. At this time, Gateway Standards have not yet been adopted, but it is anticipated that pole signs will be discouraged in the gateway areas. When the Standards are adopted, it may necessitate amendments to the Zoning Code, such as the Sign Ordinance that may be in conflict with the new Standards. At this time, there does not seem to be policies that would prohibit the proposed sign.

It is important to note that it is a City goal, as evidenced by Section 21.19.040H referred above, to avoid or minimize sign clutter. It will therefore be very important that with this tall highway oriented sign, remaining signage on the site should be minimized.

Reference: Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance, Economic Strategy and CEQA.

Fiscal

Impact: None.

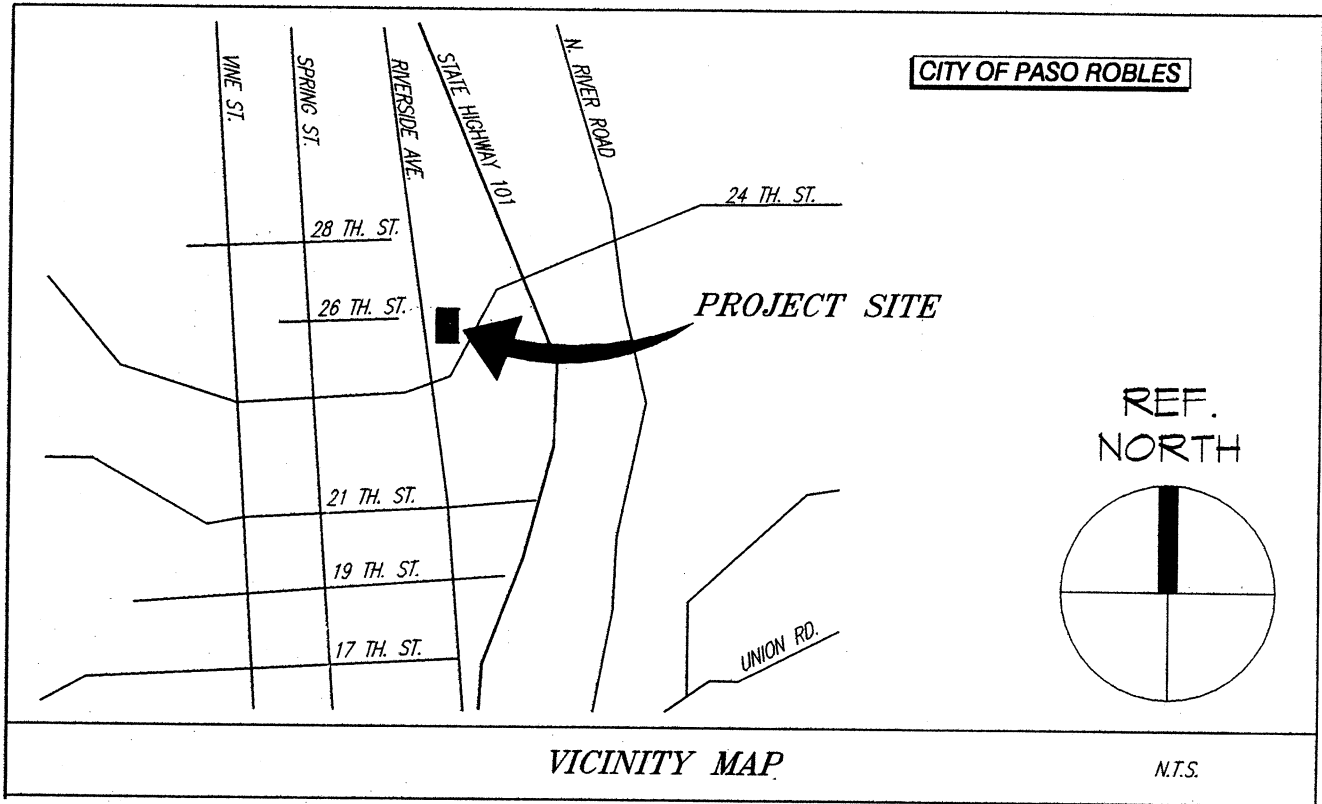
Options: After opening the public hearing and taking public testimony, the Planning Commission is requested to take one of the actions listed below:

- A. Adopt the attached Resolution approving Conditional Use Permit 06-008;
- B. Amend, modify, or reject the above-listed action;

Attachments:

1. Vicinity Map
2. Pole Sign Elevation
3. Mock-up Photos
4. Photo Simulations
5. Resolution to Approve the Conditional Use Permit 06-008
6. Newspaper and Mail Notice Affidavits

H:darren/cup/TacoBellSign/PCReport



Attachment 1
 Vicinity Map
 CUP 06-008
 (Flynn - Taco Bell Sign)

SCOPE OF WORK		
SQ. FT.	QTY	ITEM
179	1	DF HR-179 Pylon @ 50' OAH

**MANUFACTURE AND INSTALL:
(1) ONE D/F INTERNALLY ILLUMINATED HR-179 SIGN**

CABINET
31 1/4" DEEP EXTRUDED ALUMINUM,
PAINTED VIOLET.

FACES
.150 FORMED AND EMBOSSED SG
POLYCARBONATE W/ 2ND SURFACE
GRAPHICS.

DRIVE THRU FACES
.118 FORMED SG POLYCARBONATE
W/ 2ND SURFACE GRAPHICS.

ILLUMINATION
SUPER METAL HALIDE LAMPS.

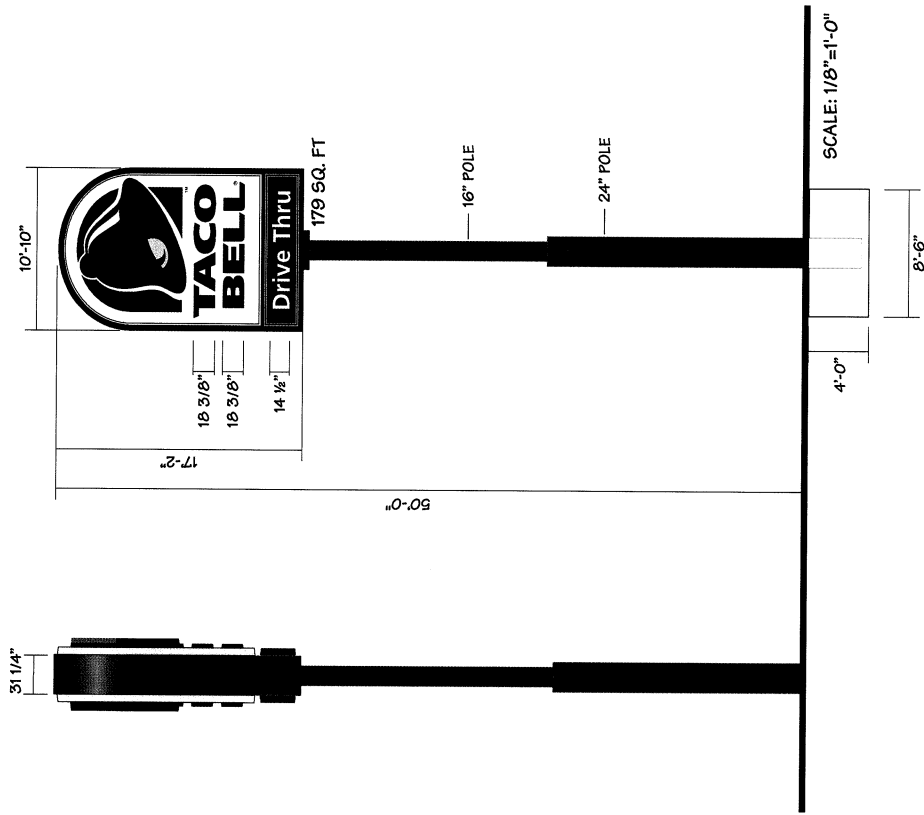
POLES
STEEL PAINTED VIOLET.

PAINT COLORS

- WHITE SPRAYLAT WHITE 801
- VIOLET SPRAYLAT L8-7917
- YELLOW SPRAYLAT L8-7937
- MAGENTA SPRAYLAT L8-7836

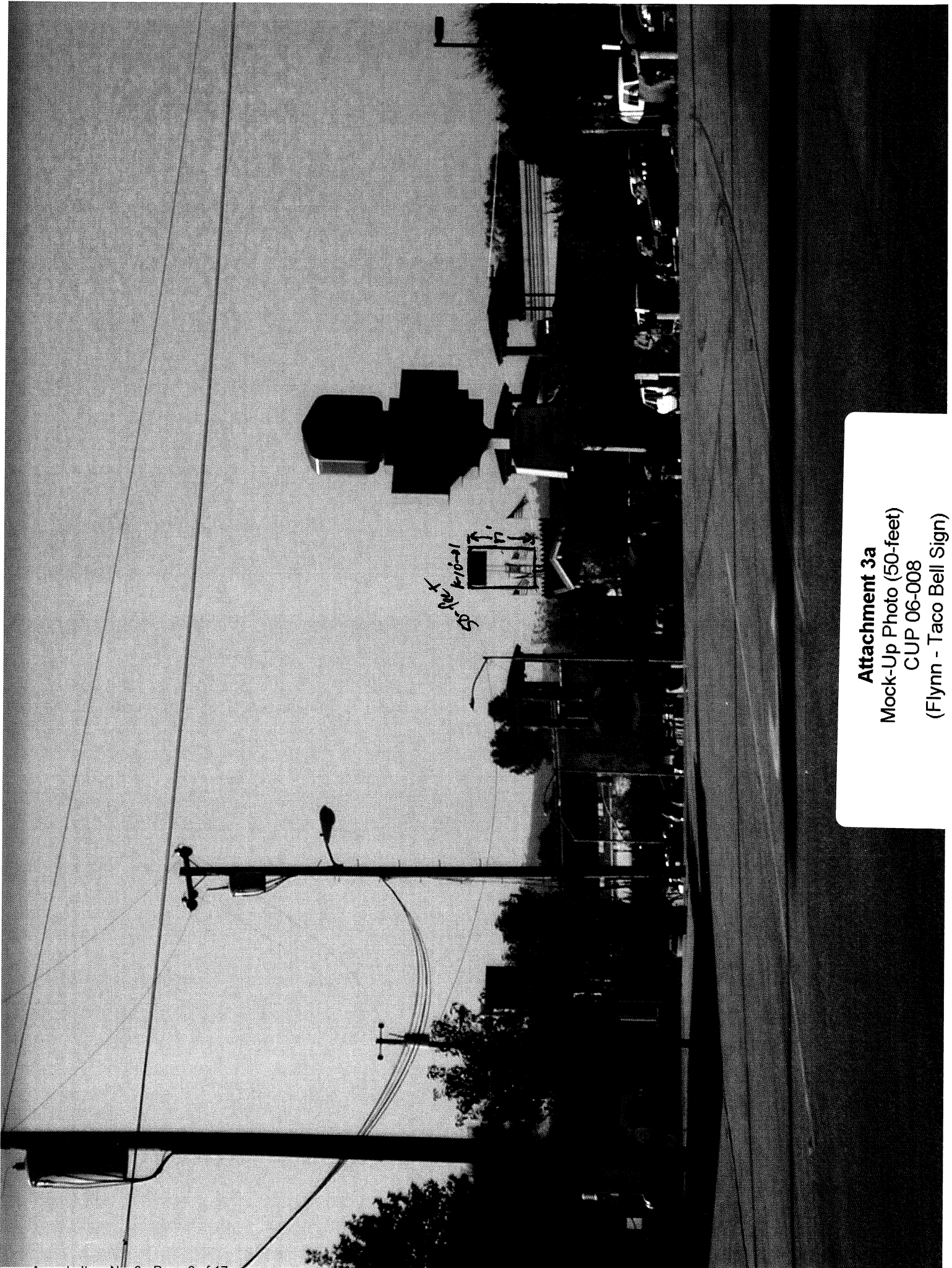
Amps	31.2
Circuits	(2) 20 amp
Volts	120

HR-179 Sign



SCALE: 1/8"=1'-0"

<p>The International Sign Service</p>	<p>CUSTOMER APPROVAL:</p> <p>DATE: *</p>	<p>DATE BY</p> <p>REV#1 12/8/06 ECK</p> <p>REV#2</p>	<p>DATE BY</p> <p>REV#4</p> <p>REV#5</p>	<p>DATE BY</p> <p>REV#7</p> <p>REV#8</p>	<p>PROJECT: Taco Bell</p> <p>ADDRESS: 1107 24th St.,Pasadena, CA 93446</p> <p>PHONE: * ACCT. MGR. Patience Casey</p> <p>IR: ECK SCALE: AS NOTED DATE: 11/20/06</p>	<p>DRAWING NO.</p> <p>06-401 R 1</p> <p>SHEET 1 OF 3</p>
	<p>Attachment 2 Pole Sign Elevation CUP 06-008 (Flynn - Taco Bell Sign)</p>					

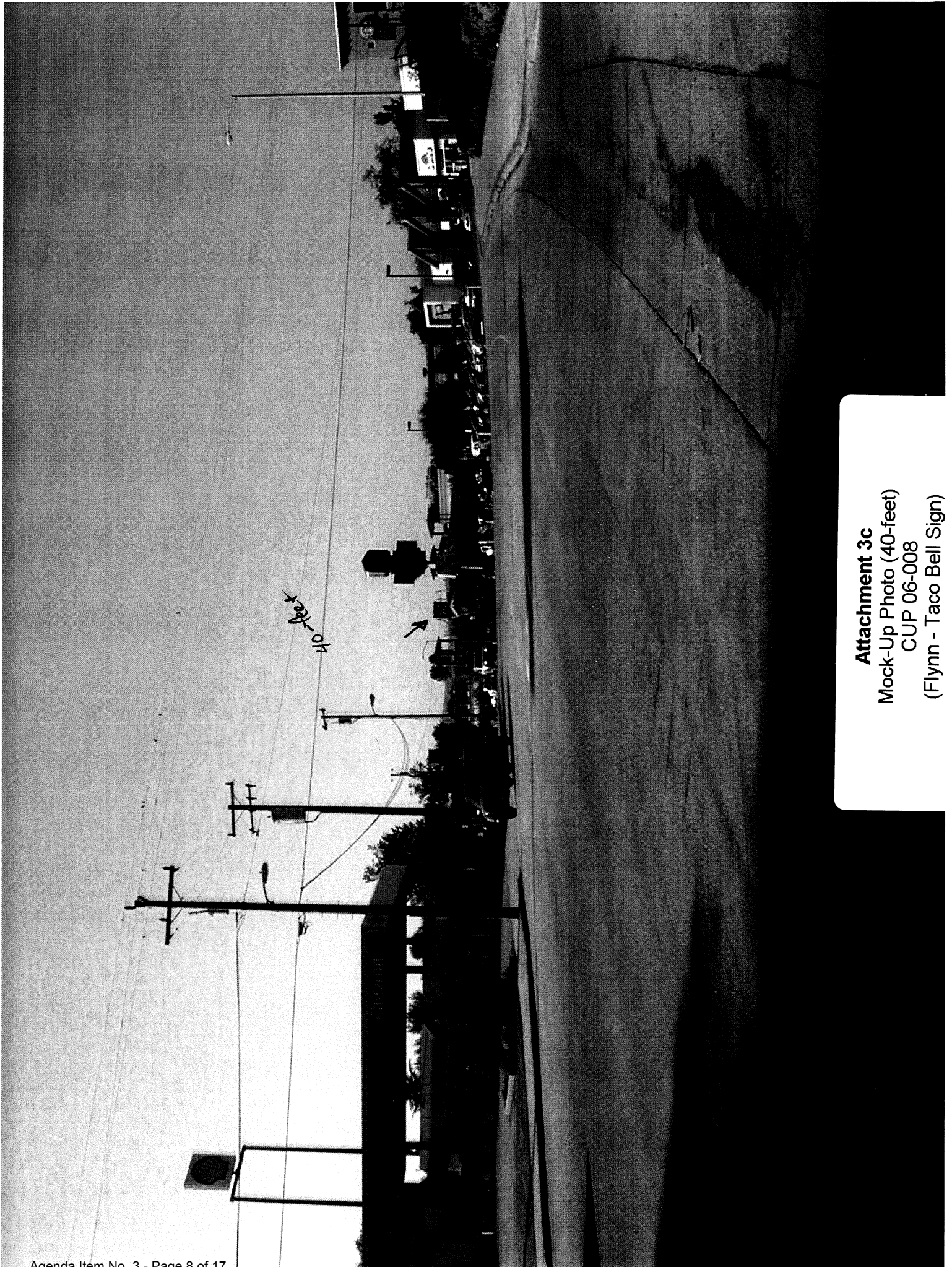


Attachment 3a

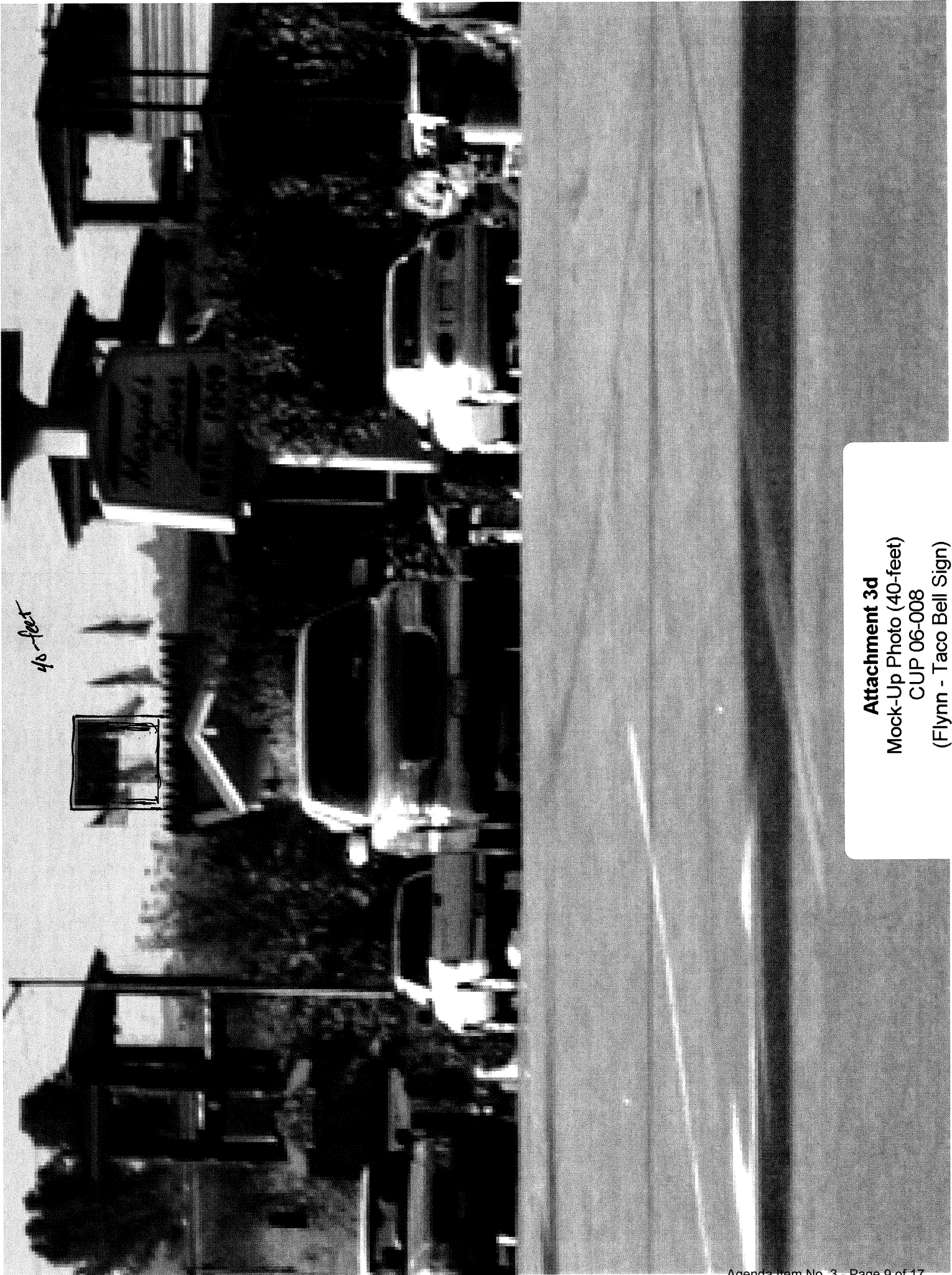
Mock-Up Photo (50-foot)
CUP 06-008
(Flynn - Taco Bell Sign)



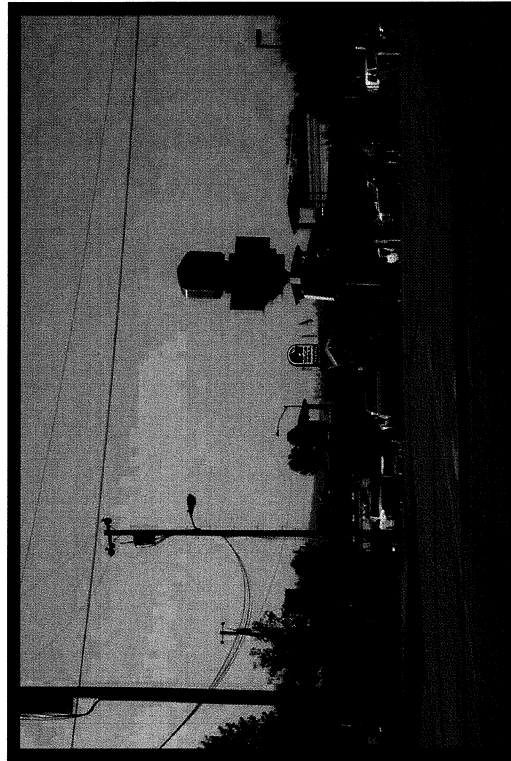
Attachment 3b
Mock-Up Photo (50-foot)
CUP 06-008
(Flynn - Taco Bell Sign)



Attachment 3c
Mock-Up Photo (40-feet)
CUP 06-008
(Flynn - Taco Bell Sign)



Attachment 3d
Mock-Up Photo (40-feet)
CUP 06-008
(Flynn - Taco Bell Sign)



THIS IS AN ORIGINAL UNPUBLISHED DRAWING
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 IF THIS SIGN IS COPIED, REPRODUCED, COPIED
 OR EXHIBITED IN ANY MANNER UNLESS AUTHORIZED
 IN WRITING BY AN OFFICE OF CUMMINGS SIGNS.

CUSTOMER APPROVAL:
 * DATE: *

REV#1 12/19/06 ECK
 REV#2

DATE BY
 REV#4 REV#5

DATE BY
 REV#7 REV#8

PROJECT: Taco Bell
 ADDRESS: 1107 24th St., Pasarobles, CA 95446
 PHONE: * ACCT. MGR: Patience Casey
 DESIGNER: ECK SCALE: AS NOTED DATE: 11/30/06

DRAWING NO.
 06-401 R 1
 SHEET 2 OF 3

Attachment 4
 Photo Simulations (50-feet)
 CUP 06-008
 (Flynn - Taco Bell Sign)

RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 06-008
(Brent Flynn – Taco Bell)
APN: 008-135-020

WHEREAS, Vincent & Murphy Inc. on behalf of Brent Flynn, has submitted an application for CUP 06-008 requesting to construct a 50-foot tall Highway Oriented pole sign at the existing Taco Bell restaurant located at 1107 24th Street; and

WHEREAS, according to Section 21.19.040.H, Sign Ordinance, Highway Oriented Signs are permitted in this geographic area of the City subject to the approval of a Conditional Use Permit; and

WHEREAS, the request for the new pole sign is in conjunction with the construction of a new Taco Bell restaurant (see Site Plan 06-017); and

WHEREAS, a public hearing was conducted by the Planning Commission on February 27, 2007, 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, this application is Categorically Exempt from environmental review per Section 15301c of the State's Guidelines to Implement CEQA; and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions of approval listed below, the Planning Commission makes the following findings:

- a. that the establishment, maintenance or operation for the requested use or building applied for, will not, under the circumstances of the particular case, 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
- b. that the highway oriented sign as shown in Exhibits A & B of this resolution, meets the intent of Section 21.19.040.H, since the Taco Bell restaurant is a highway oriented use and the proposed 50-foot height would seem reasonable for visibility from the intersection of 24th Street and Black Oak Drive.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 06-008 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:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Sign Elevation
B	Site Plan

2. The approval of CUP 06-008 allows for the installation of a 50-foot tall Highway Oriented Pole Sign as described in Exhibits A & B.
3. This CUP 06-008 is valid for a period of two (2) years from approval and must be activated within this time frame. Once the CUP is activated, the entitlement shall apply to the property. The Planning Commission 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. All on-site signage shall conform to the Sign Ordinance, including any window signage which shall not cover more than 30-percent of the window surface and temporary signage, which includes inflatable signs and banners.
5. Any condition imposed by the Planning Commission in granting this Conditional Use Permit 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 granting of the original permit. 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 under the conditional use permit.

PASSED AND ADOPTED THIS 27th day of February 2007, by the following roll call vote:

AYES:

NOES:

ABSENT:

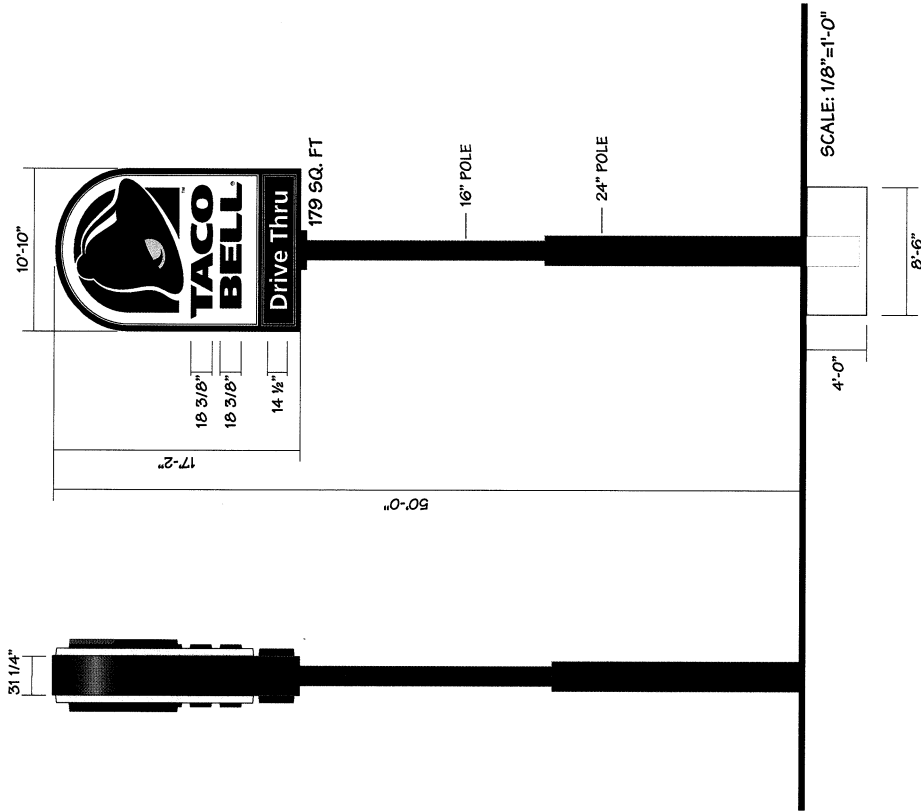
ABSTAIN:

CHAIRMAN MARGARET HOLSTINE

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

SCOPE OF WORK		
SQ. FT.	QTY	ITEM
179	1	DF HR-179 Pylon @ 50' OAH



**MANUFACTURE AND INSTALL:
(1) ONE D/F INTERNALLY ILLUMINATED HR-179 SIGN**

CABINET

31 1/4" DEEP EXTRUDED ALUMINUM,
PAINTED VIOLET.

FACES

150 FORMED AND EMBOSSED SG
POLYCARBONATE W/ 2ND SURFACE
GRAPHICS.

DRIVE THRU FACES

.118 FORMED SG POLYCARBONATE
W/ 2ND SURFACE GRAPHICS.

ILLUMINATION

SUPER METAL HALIDE LAMPS.

POLES

STEEL PAINTED VIOLET.

PAINT COLORS

- WHITE SPRAYLAT WHITE 801
- VIOLET SPRAYLAT LB-7917
- YELLOW SPRAYLAT LB-7937
- MAGENTA SPRAYLAT LB-7836

Amps	31.2
Circuits	(2) 20 amp
Volts	120

HR-179 Sign

<p>The International Sign Service</p>	<p>CUSTOMER APPROVAL:</p> <p>REV#1 12/29/06 ECK REV#2 _____</p> <p>DATE: _____</p>	<p>DATE BY</p> <p>REV#4 _____ REV#5 _____</p>	<p>DATE BY</p> <p>REV#7 _____ REV#8 _____</p>	<p>PROJECT: Taco Bell</p> <p>ADDRESS: 1107 24th St., Pasarobles, CA 95446</p> <p>PHONE: * ACCT. MGR. Patience Casey</p> <p>DESIGNER: ECK SCALE: AS NOTED DATE: 11/30/06</p>	<p>DRAWING NO.</p> <p>06-401 R 1</p> <p>SHEET 1 OF 3</p>
	<p>Exhibit A</p> <p>Sign Elevation</p> <p>CUP 06-008</p> <p>(Flynn - Taco Bell Sign)</p>				

Vincent + Murphy
Incorporated
PHILIP MOSS - ARCHITECT

627 Birch Avenue
Pasadena, CA 91106
PH: (626) 451-2500
FAX: (626) 451-5596

100% WORK
02.01

SUBMISSION DATES
02/02/06 FINAL DESIGN REVIEW

REVISIONS

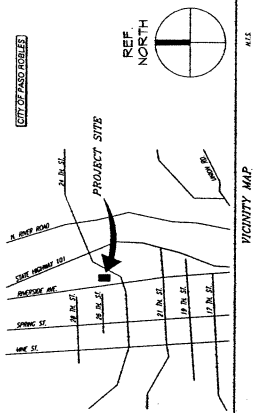
CONTRACTOR: T-9
SUBMITTER: JACOB
CITY NUMBER: 060001
APN: # 006103200

TACO BELL
1107 24th Street
Pasadena, CA 93446



SITE PLAN,
VICINITY MAP

DD1.0



APPLICANT / DEVELOPER
 ENGEN ENTERPRISES
 CONTACT: BRENT FLYNN
 88 LONG COURT SUITE B
 THOUSAND OAKS, CA 91360
 PHONE: (805) 777-7572 ext. 28

PROPERTY OWNER
 ENGEN ENTERPRISES
 CONTACT: BRENT FLYNN
 88 LONG COURT SUITE B
 THOUSAND OAKS, CA 91360
 PHONE: (805) 777-7572 ext. 28

ARCHITECT
 VINCENT + MURPHY INCORPORATED
 CONTACT: PHILIP MOSS
 637 5TH AVENUE
 PASADENA, CA 91106
 PHONE: (415) 451-2500

UTILITIES
 WATER: CITY OF PASO ROBLES
 SANITARY SEWER: CITY OF PASO ROBLES
 STORM DRAINAGE: CITY OF PASO ROBLES
 FIRE POLICE: PASO ROBLES FIRE PREVENTION
 POLICE DEPT.: PASO ROBLES POLICE DEPT.
 GAS: PG&E
 ELECTRIC: PG&E
 TELEPHONE: SBC
 SCHOOL DISTRICT: PASO ROBLES PUBLIC SCHOOLS

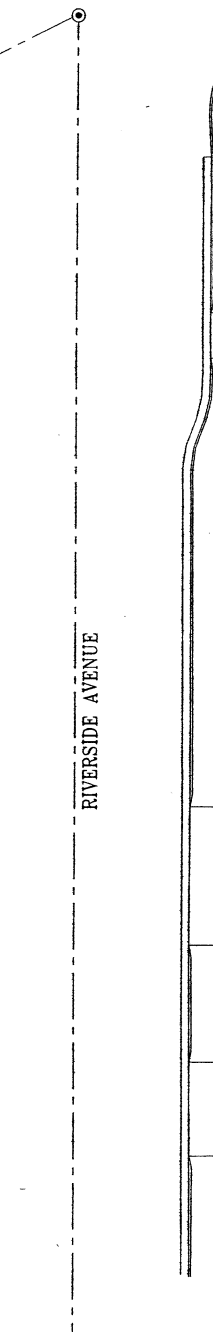
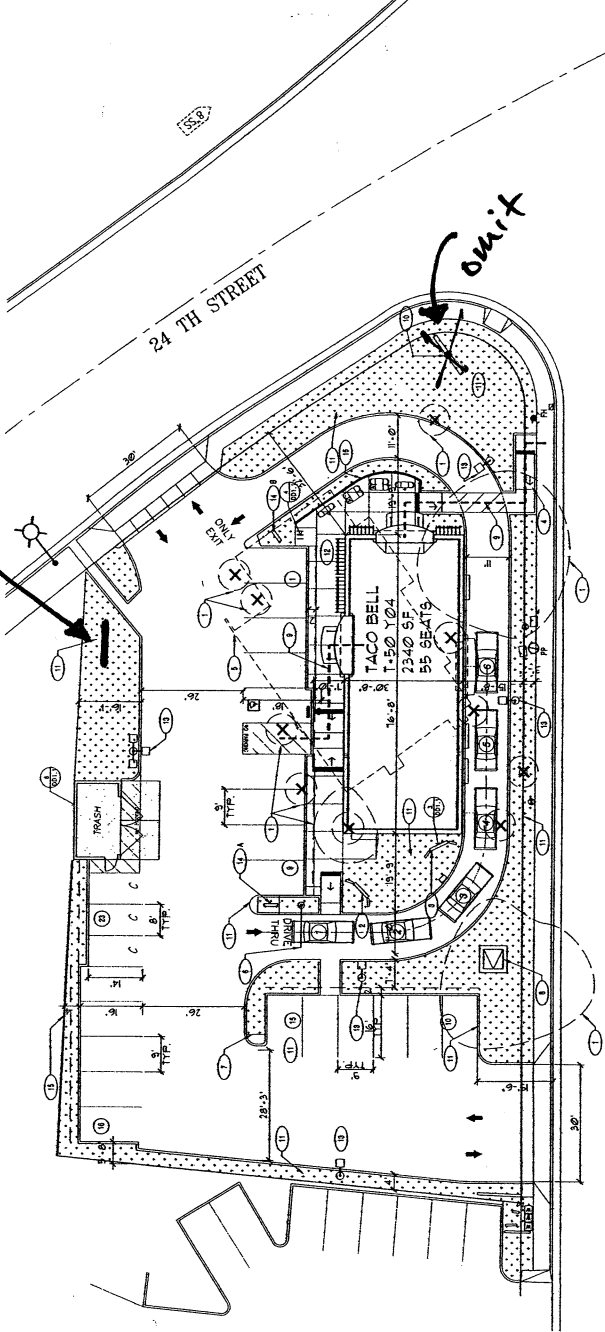
PARKING DATA
 REQUIRED: 1 PER 100 GROSS SQUARE FEET 23 STALLS
 PROVIDED: 18 STALLS
 STANDARD: 2 STALLS
 DISABLED: 2 STALLS
 COMPACT: 3 STALLS
 TOTAL PARKING PROVIDED: 23 STALLS

BUILDING DATA
 BUILDING AREA: 2,340 S.F.
 COVERED AREA: 2,340 S.F.
 BUILDING TYPE: TYPE V-N, WOOD FRAME, STUCCO

LOT DATA
 A.P.N.: # 008-135-020
 ZONED: C
 USE: COMMERCIAL (RESTAURANT W/DRIVE THRU)
 AREA: 22,455 S.F. (0.52 ACRES)
 LANDSCAPE: 28.95% LOT COVERAGE

LIST OF DRAWINGS
 DD1.0 SITE PLAN, PROJECT DATA, VICINITY MAP
 C-1.1 PRELIM GRADING AND SECTIONS
 D1.1.0 MISCELLANEOUS DETAILS
 D1.2.0 EXTERIOR ELEVATIONS
 D03.0 EXTERIOR ELEVATIONS
 D03.1 EXTERIOR ELEVATIONS
 L-1.0 PRELIMINARY PLANTING PLAN
 L-2.1 PLANTING DETAILS

Pole Sign Location



- RECORDS
- (1) EXISTING TREE TO BE REMOVED (SHOWN DASHED, TR.)
 - (2) NEW TRANSFORMER PAD MOUNTED
 - (3) PATH OF TRAVEL
 - (4) NEW PREVIEW BOARD
 - (5) POLE SIGN SUBJECT TO SEPARATE USE PERMIT, NOT FOR THIS APPLICATION.
 - (6) NEW ADA RAMP
 - (7) LANDSCAPE AREA
 - (8) BEST RESTAURANT TO BE DEMOLISHED (264 sq ft)
 - (9) BIKE BACK 4/001.1
 - (10) (N) 24" HIGH LOT LIGHT 7/001.1
 - (11) (N) DIRECTIONAL SIGN, SEE 1/001.1
 - (12) GUARD RAIL (BLACK IRON)

APPROVED BY
 JACOB / PC/CC
 9/18/06
 License #:

Exhibit B
 Site Plan
 CUP 06-008
 (Taco Bell)

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

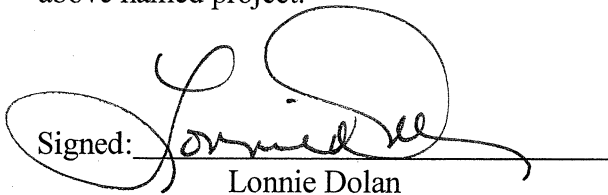
Newspaper: Tribune

Date of Publication: February 14, 2007

Meeting Date: February 27, 2007
(Planning Commission)

Project: Conditional Use Permit 06-008
(50' tall highway oriented sign/
Taco Bell - 24th Street)

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider Conditional Use Permit 06-008, a request by Vincent & Murphy, Inc., on behalf of Brent Flynn to install a 50-foot tall highway oriented sign at the existing Taco Bell restaurant located at 1107 24th Street.

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, February 27, 2007, at which time all interested parties may appear and be heard.

This application is Categorically Exempt from environmental review per Section 15301c of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Comments on the proposed Conditional Use Permit may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the hearing.

If you challenge the Conditional Use Permit application 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 Planning Commission at, or prior to, the public hearing.


Darren R. Nash, Associate Planner
February 14, 2007 6537997

**AFFIDAVIT
OF MAIL NOTICES**

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Gevorg Nazaryan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Conditional Use Permit 06-008, A request to construct a 50-foot tall Highway Oriented Sign. (Applicant: Vincent & Murphy, Inc. / Brent Flynn) APN: 008-135-020, on this 13th day of February, 2007.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Gevorg Nazaryan