

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION
FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: CONDITIONAL USE PERMIT 08-012 / 1240 PARK STREET
APN: 009-044-013 (APPLICANT: PASO WINE CENTRE)
DATE: FEBRUARY 10, 2009

Needs: For the Planning Commission to consider a request to establish a wine bar located at 1240 Park Street.

- Facts:
1. The property is located at 1240 Park Street.
 2. The site's General Plan designation is Community Commercial (CC), and it is zoned as General Commercial with a Planned Development Overlay (C-1 / PD), which is consistent with the General Plan designation.
 3. Table 21.16.200 of the Zoning Code requires the approval of a Conditional Use Permit (CUP) to establish bars (including wine bars) in the C-1 zoning district.
 4. As described within the attached project description, the applicant proposes a wine bar that will seat approximately 20 people, retail space, and a related tourist center. Hours of operation are proposed to be as follows: Sunday through Thursday will be from 10 am – 8 pm and on Friday, Saturday, and during special events 10 am – 10 pm. Amplified music or dancing are not being proposed.
 5. The existing parking will not be impacted by the proposed use since retail and service establishments were anticipated during the planning stages of the now existing building.

Analysis
and

Conclusion: The applicant for the Paso Wine Center would like to be able to serve a full glass or bottle of wine for consumption on the premises. As such, the use would be classified as a "wine bar" versus a "wine tasting" facility, since wine tasting facilities can only serve 1 ounce servings of wine. According to the Zoning Code wine bars are in the same category as "bar/cocktail lounges" and therefore require approval of a CUP.

The Police Chief did not have any concerns with the proposed use. A condition of approval that requires all necessary building and fire codes be met prior to operation of the business has been added to the resolution.

The proposed CUP for a wine bar and associated retail appear reasonable at this location, and would not result in land use compatibility nuisances to surrounding businesses or properties. This use in the downtown would help implement the Economic Strategy's policy by helping to showcase the Paso Robles wine appellation and industry, promoting tasting, as well as act as another tourist destination in the downtown.

Policy

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 08-012; or
- b. Amend, modify, or reject the above-listed action.

Attachments:

1. Applicant's Project Description
2. Vicinity Map
3. Proposed Floor Plan
4. Resolution to Approve the Conditional Use Permit 08-012
5. Newspaper and Mail Notice Affidavits

December 15, 2008

City of Paso Robles
Community Development Department
Planning Division
1000 Spring St.
Paso Robles, CA 93446

Paso Robles
DEC 17 2008
Planning Division

Re: *Conditional Use Permit* for Paso Wine Centre, a wine retail store and tasting lounge.

Project Description:

Paso Wine Centre, located at 1240 Park St., will offer a wine retail store and tasting lounge focusing on premium wines originating from within the Paso Robles area. Our goal is to be a combination retail store, tasting room, and wine related tourist center. The tasting lounge will seat approximately 20 people on leather sofas and club chairs. Wine will be available by the taste, glass, or bottle. Premium imported and micro brewed beers may also be available. No draft beer will be served.

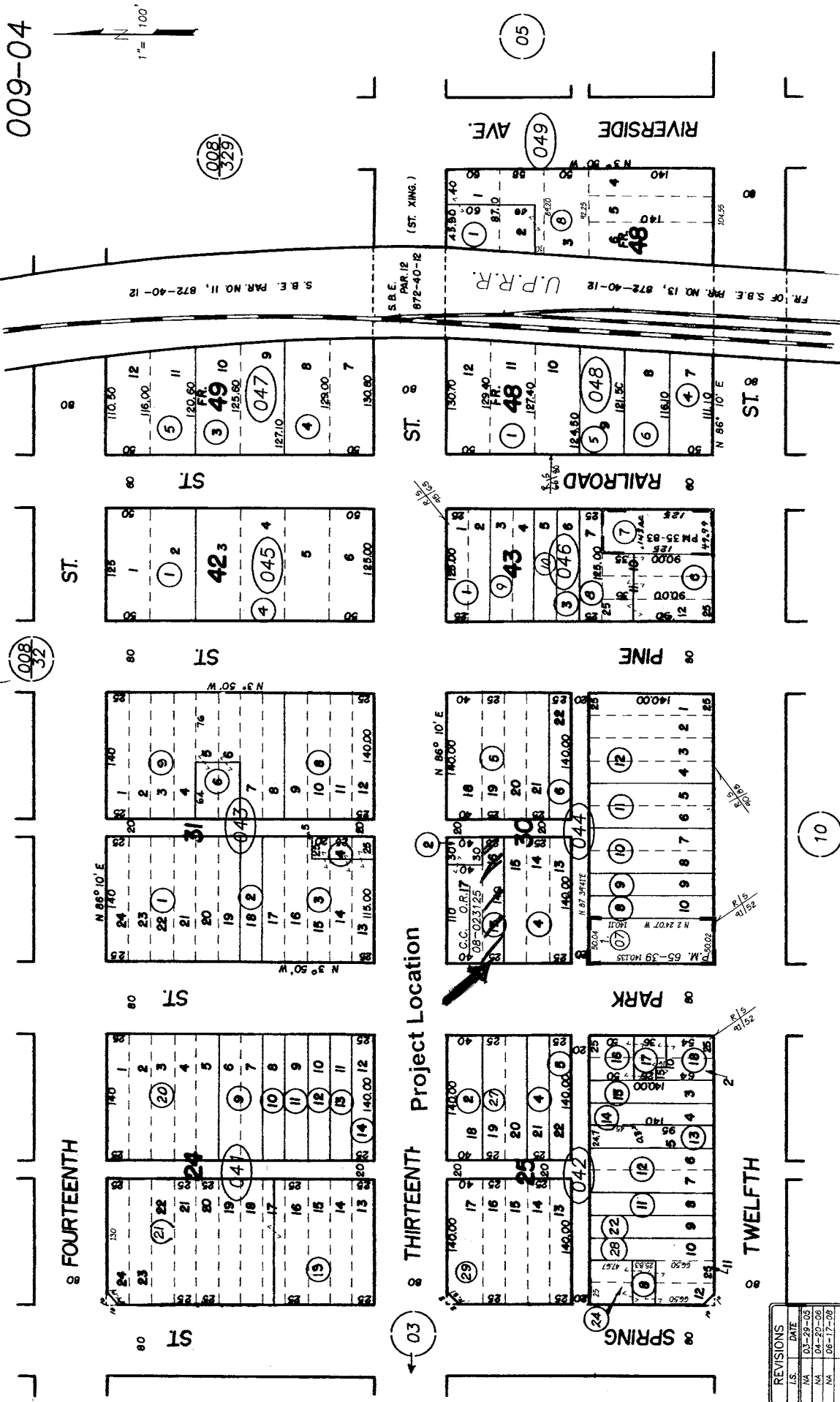
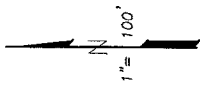
We will work closely with the Paso Robles Wine Country Alliance to educate consumers and advocate for Paso Robles wines. Our website, www.PasoWines.com, will also be used as a tool to sell wines from Paso Robles and to advocate for the region. With a strong focus on social responsibility, the Paso Wine Centre has made a commitment to donate a minimum of 50% of its net proceeds to charity.



Ryan Broersma
Paso Wine Centre

**Attachment 1:
Project Description**

009-04



008/32

008/325

CITY OF PASO ROBLES
ASSESSOR'S MAP, COUNTY OF
SAN LUIS OBISPO, CA.
BOOK 008 PAGE 04.

k. A, Pg. 169

03 ← THIRTEENTH Project Location

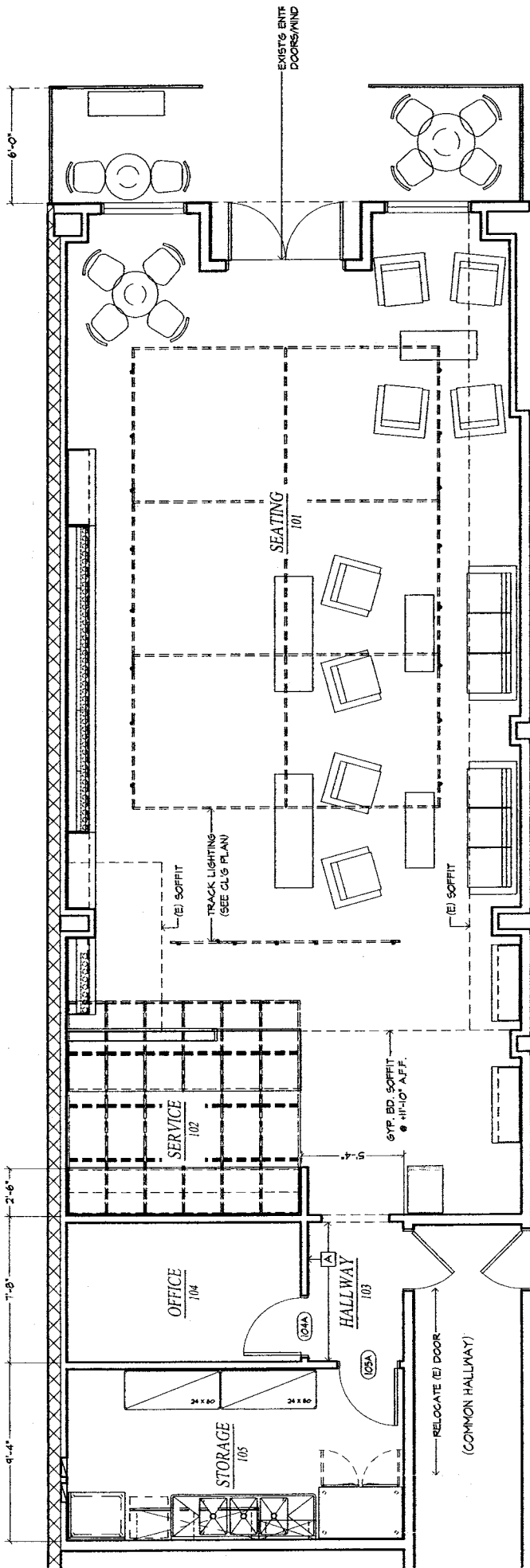
Attachment 2:
Vicinity Map

REVISIONS	DATE
NA	03-29-05
NA	04-20-06
NA	08-17-09

50 0 100 200

THIS MAP IS PREPARED FOR
ASSESSMENT PURPOSES ONLY.

ADJACENT PROPERTY



(ADJACENT SPACE)

FLOOR PLAN

**Attachment 3:
Proposed Floor Plan**

RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING CONDITIONAL USE PERMIT 08-012
AT 1240 PARK STREET
APPLICANT: PASO WINE CENTRE
APN: 009-044-013

WHEREAS, Section §21.16.200 of the City of El Paso de Robles' Zoning Code requires approval of a Conditional Use Permit for bars in the C-1 zone; and

WHEREAS, the applicant, Paso Wine Centre, has proposed a Conditional Use Permit to establish a wine bar that will seat approximately 20 people, retail space, and a related tourist center located at 1240 Park Street; and

WHEREAS, the proposed use is compatible with the surrounding land uses; and

WHEREAS, a public hearing was conducted by the Planning Commission on February 10, 2009, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this Conditional Use Permit; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15301 Existing Facilities, Class 1 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 finds that the establishment, maintenance or operation of the requested bar will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the vicinity of the proposed use, or be injurious or detrimental to property and improvements in the area or to the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 08-012 subject to the following conditions:

1. This Conditional Use Permit (CUP) authorizes the use of a wine bar that will seat approximately 20 people, retail space, and a related tourist center. Hours of operation are as follows: Sunday through Thursday will be from 10 am – 8 pm and hours of operation on Friday, Saturday, and during special events 10 am – 10 pm.
2. The floor plan shall be in substantial compliance with Exhibit A.

EXHIBIT	DESCRIPTION
A	Proposed Floor Plan

3. 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.

4. Prior to commencing the operation of the business or issuance of a business license, the applicants shall obtain Building Permits for any tenant improvements and comply with all required Building and Fire Codes related to the proposed change in use.
5. All business signage (including temporary signs) shall comply with the City Sign Ordinance. A sign permit shall be approved prior to installation of any business signs.
6. Any street furniture proposed shall be in full compliance with Ch 11.30 Street Furniture of the Municipal Code which requires approval by the Development Review Committee.

PASSED AND ADOPTED THIS 10th day of February 2009, by the following roll call vote:

AYES:

NOES:

ABSENT:

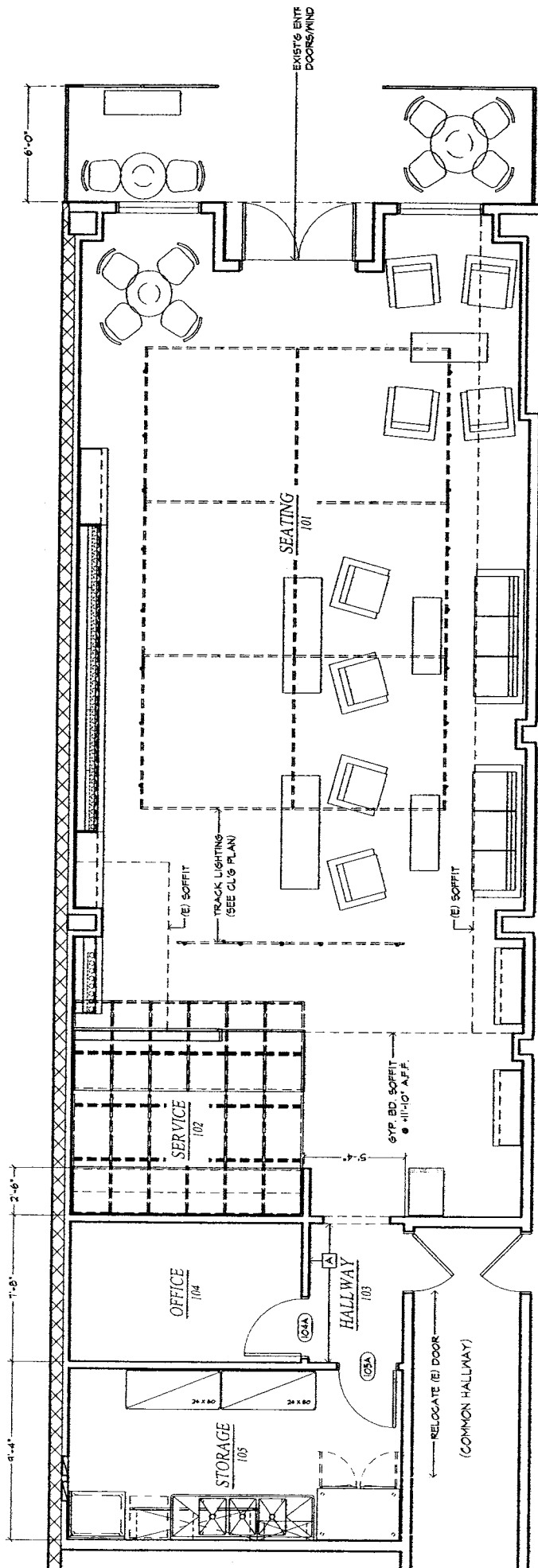
ABSTAIN:

CHARLES TREATCH, CHAIRMAN

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

ADJACENT PROPERTY



(ADJACENT SPACE)

FLOOR PLAN

1/4" = 1'-0"

Exhibit A:
Floor Plan

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Mathew Fawcett, 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 08-012 (Paso Wine Centre – 1240 Park Street) on this 27th day of January 2009.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Mathew Fawcett

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Attachment 5:
Affidavits

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

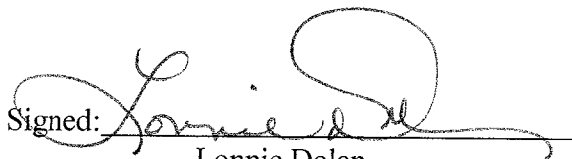
Newspaper: Tribune

Date of Publication: January 28, 2009

Hearing Date: February 10, 2009
(Planning Commission)

Project: Conditional Use Permit 08-012
(Paso Wine Centre-1240 Park 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

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 08-012, a request filed by Paso Wine Centre, to establish a wine bar located at 1240 Park 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 10, 2009, at which time all interested parties may appear and be heard.

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.

Mathew Fawcett, Assistant Planner
January 28, 2009 6794120