

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION
FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: CONDITIONAL USE PERMIT 11-001
(FIRESTONE TAP ROOM RESTAURANT)

DATE: FEBRUARY 8, 2011

Needs: For the Planning Commission to consider a request filed by Firestone Walker, LLC, to establish a restaurant within an existing building.

- Facts:
1. The building is located at 1395 Vendels Circle, which is directly across the street from the existing Firestone Walker Brewery (See Vicinity Map, Attachment 1).
 2. The existing building is 6,841 square feet with a 512 square foot storage area on the second level, for a total gross square footage of 7,353. The building has been used for industrial and manufacturing type uses in the past.
 3. The site is zoned M-PD (Manufacturing, Planned Development Overlay) and has a Business Park (BP) General Plan Land Use designation.
 4. Table 21.16.200.F.13.b, land use matrix, allows sit-down restaurants larger than 5,000 square feet in the M zone with the approval of a Conditional Use Permit (CUP). The Zoning Code requires a finding by the Planning Commission that “such a restaurant will not be detrimental to the City’s efforts to revitalize the downtown”.
 5. In addition to the interior tenant improvements necessary to convert the building to a restaurant, the project includes making improvements to the exterior of the building. Improvements include paint, roofing, siding, masonry veneer and the addition of an outdoor patio. (See the applicants project description, Attachment 2)
 6. Also proposed with the project is a relocation of a grain silo from the brewery to the restaurant site. The silo is 22-feet in height and intended to be an architectural element of the restaurant building. No signage is proposed to be located on the silo.
 7. The Zoning Code requires that sit-down restaurants provide parking at a ratio of 1 parking space for every 150 gross square feet of the building. For this project, 49 parking spaces would be required. There are 16 parking spaces located on the project site. The applicants propose use of 33 parking spaces at the brewery facility across the street be utilized to make up the 49 space requirement. The parking areas are within the required 300-foot distance from the project site.

8. The Development Review Committee (DRC) reviewed this project at their meeting on January 31, 2011. The DRC was generally in favor of the project and the use of off-site parking. The DRC recommended that the Planning Commission approve the CUP and make the finding that this project would not be detrimental to downtown businesses.
9. This application is Categorically Exempt (Class 32) from environmental review per Section 15332 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Analysis
and

Conclusions: The restaurant use in the proposed building seems to be a good use in this area of the City and a complement to the existing Firestone-Walker facilities. As noted above there are some issues that the Planning Commission will need to address with this CUP application:

Parking: Section 21.22.090 Parking Ordinance, indicates the following:

Off-street parking facilities shall be located on the lot on which the principal land use is located unless such spaces cannot reasonably be located on such lot. In such a case, parking spaces may be located on any land within three hundred feet of the property with the principal land use; provided, that the following conditions are met:

- *A written agreement between the owner of the property with the parking spaces and the principal land user assuring the retention of the parking spaces for the principal use shall be properly drawn and executed by the parties concerned, approved as to form by the city attorney and shall be recorded in the office of the county recorder and copies filed with the city prior to issuance of a building permit or certificate of occupancy for the principal use. The term of such an agreement shall be a minimum of fifteen years.*
- *The principal use shall be permitted to continue only as long as its parking requirements are met.*

Two separate off-street parking areas located on the adjacent brewery site will be available for overflow parking as needed by the proposed restaurant. The parking areas are within 300-feet of the restaurant site as required by the parking ordinance. A condition of approval has been added to the CUP that would require a 15-year parking agreement (as required by the Zoning Code) be recorded between the restaurant site and the brewery site. This would insure that if Firestone-Walker LLC were to vacate the restaurant and another restaurant were to be established in the building, that the overflow parking would remain available for the restaurant site until the end of the 15-year term.

Downtown Business: In an effort to protect businesses in the Downtown, the Zoning Code requires that the Planning Commission make the finding that the establishment of a restaurant outside of the downtown that is greater than 5,000 square feet, will not be detrimental to the City's efforts to revitalize the downtown.

At the time the required finding was included in the Zoning Code, the downtown was in the early stages of redevelopment. Also at that time, the Target Center was being developed and there was a fear that certain types of uses such as sit-down restaurants and theaters would compete with downtown businesses. With the establishment of many successful businesses in the downtown, the proposed operation and maintenance of the proposed restaurant use in the Ramada Drive, Vendels Circle area would not be detrimental to downtown businesses. Furthermore, the restaurant use is intended to complement the existing Firestone Brewery facilities. This arrangement of brewery and restaurant is similar to the facility that Firestone-Walker has in Buellton, which has been very successful.

Establishing a restaurant within the existing building would seem to be a good use for the building and complement the existing brewery and the other businesses in the vicinity. The restaurant use would meet the intent of the Business Park General Plan Land Use designation by providing a “clean and attractive business” and providing a commercial use that could support the industrial uses in the area. Additionally, the use would meet the intent of the Economic Strategy since it would help promote local industry, products and services.

Policy
Reference: City of Paso Robles Zoning Code and Land Use Element of the General Plan, Economic Strategy.

Fiscal
Impact: None

Options: After consideration of any public testimony, the Planning Commission should consider the following options:

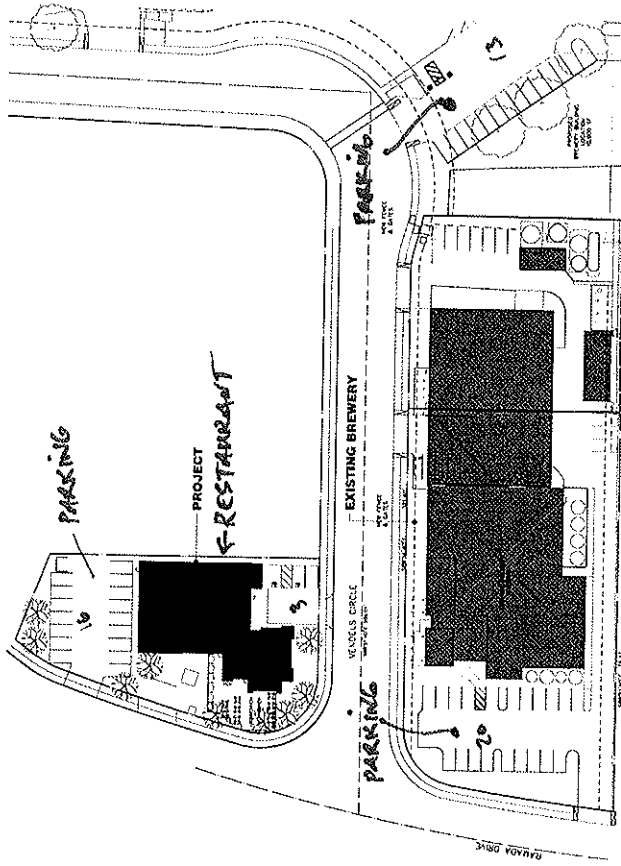
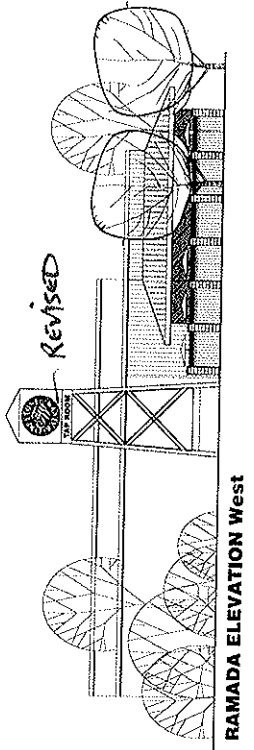
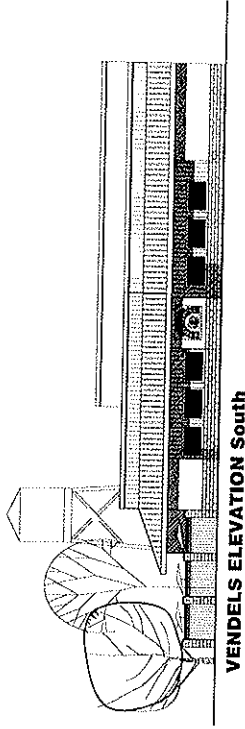
- a. Adopt the attached resolution granting approval of Conditional Use Permit 11-001, including the ability to utilize 33 off-site parking spaces and making the finding that the restaurant use would not be detrimental to downtown businesses, subject to standard and site specific conditions of approval.
- b. Amend, modify or alter the above noted options.

- Attachments:
- 1. Vicinity Map / Site Plan & Elevations
 - 2. Applicant’s Project Description
 - 3. Resolution Approving CUP 11-001
 - 4. Newspaper notice and mail affidavits

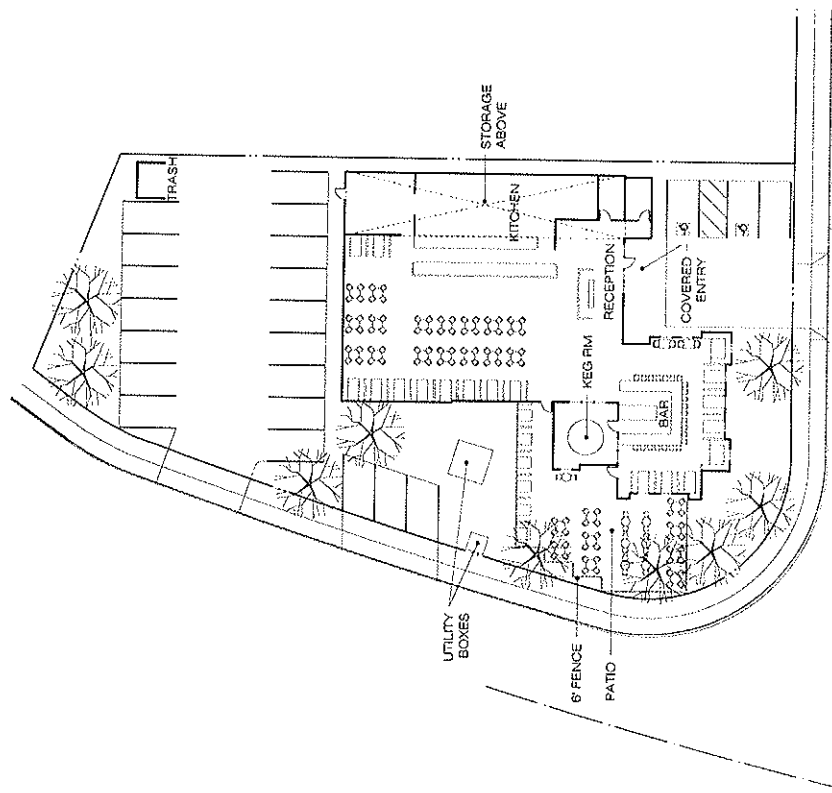
H:/Darren/CUPs/ CUP 11-001

FOR CONSTRUCTION		DATE	
ISSUE NO.	DESCRIPTION	ISSUED	BY
1	ISSUE NO. 001	10.15.14	MM
2	ISSUE NO. 002		
3	ISSUE NO. 003		
4	ISSUE NO. 004		
5	ISSUE NO. 005		
6	ISSUE NO. 006		
7	ISSUE NO. 007		
8	ISSUE NO. 008		
9	ISSUE NO. 009		
10	ISSUE NO. 010		
11	ISSUE NO. 011		
12	ISSUE NO. 012		
13	ISSUE NO. 013		
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16	ISSUE NO. 016		
17	ISSUE NO. 017		
18	ISSUE NO. 018		
19	ISSUE NO. 019		
20	ISSUE NO. 020		

SCALE	NOTED	DATE
1" = 10'-0"		
DATE	10/15/14	
BY	MM	
CHECKED		
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PROPERTY ADDRESS
 1395 VENDELS CIRCLE
PROJECT
 TAP ROOM - RESTAURANT
SITE AREA
 APPROX. 20,000 SF
BUILDING AREA
 APPROX. 4,844 SF
 MAIN FLOOR
 APPROX. 512 SF
2ND LEVEL (STORAGE)
 APPROX. 4,400 SF
INDOOR SEATING
 APPROX. 1,100 SF
OUTDOOR PATIO
 APPROX. 2,200 SF
PARKING ON-SITE
 APPROX. 22 SPACES



Attachment 1
 Vicinity Map
 CUP 11-001
 1395 Vendels Circle
 (Firestone-Walker)

SITE PLAN

PLAN



VLADIMIR MILOSEVIC ARCHITECT

991 Longview Ave Pismo Beach CA 93449 vmi@vmilosevic.com

Tel: 805-773-5768

Fax 805-773-4137

January 12, 2011

**NEW TAP ROOM FOR FIRESTONE WALKER BREWING CO.
RAMADA AT VENDELS CIRCLE**

PROJECT DESCRIPTION

The project consists of renovation of an existing building at 1395 Vendels Circle to be used as Tap Room / Restaurant for the Firestone Walker Brewing Co. facility across the street.

The existing building area is 6841 square feet at the ground level and has a second level storage area of 512 square feet.

Interior renovations will include a kitchen, seating and tasting bar.

Exterior renovations include repainting existing metal siding and stucco areas to match colors (aged galvanized grey) of existing facility in Buellton. A photo is included in the CD submitted. The lower roof is to be replaced with corrugated Corten (rusty metal) and overhang extended for greater shade and appearance. A split face masonry veneer will be applied to the bottom of walls along Vendels Circle as well as Board and Batten on walls that recessed

A six foot high fence is proposed on the West side to surround an outdoor seating area. The fence would be made of wood planks in between masonry columns.

An silo that is no longer in use at the existing brewery, will be installed on the West side as a non-functional vertical element.

There is existing landscape on the facility that would mostly remain. See photos EXIST 1, 2 and 3 included in the CD.

There is also existing parking that would be re-stripped resulting in 19 on-site parking. Sixteen (16) of the stalls are on the North side of the property, and it would require patrons to walk along the existing sidewalk on Ramada to reach the entrance on the South side. The new use will require 49 spaces, 20 of which are proposed to be shared with the Brewery across Vendels Circle. The Tap Room hours of operation would be after 5:00 PM when the Brewery is not in full production

Attachment 2
Project Description
CUP 11-001
1395 Vendels Circle
(Firestone-Walker)

RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 11-001
(FIRESTONE RESTAURANT)
APN: 009-633-019

WHEREAS, Firestone-Walker, LLC, has filed a Conditional Use Permit (CUP) application to establish a sit-down restaurant in the existing 7,353 square foot building located at 1395 Vendels Circle; and

WHEREAS, section 21.16.200 of the Municipal Code of the City of El Paso de Robles requires approval of a CUP for restaurants over 5,000 square feet in the M zoning district; and

WHEREAS, the Zoning Code requires that with the approval of a CUP that the Planning Commission makes a finding that “such a restaurant will not be detrimental to the City’s efforts to revitalize the downtown”; and

WHEREAS, a public hearing was conducted by the Planning Commission on February 8, 2011, 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 15332, infill, 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 finding:

1. The Planning Commission finds that the establishment, maintenance or operation of the restaurant 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.
2. The Planning Commission finds that the proposed restaurant will not be injurious or detrimental to property and improvements in the area or to the general welfare of the City because it shall comply with all applicable zoning, building and municipal codes.
3. By allowing the use, the Planning Commission finds that proposed restaurant would be consistent with the Business Park (BP) General Plan Land Use Category; and
4. By allowing the use, the Planning Commission finds that the proposed restaurant would not be detrimental to the City’s efforts to revitalize the downtown, since there are multiple successful restaurants currently operating in the downtown.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 11-001 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	Site Plan/Parking Lot Plan
B	Site Plan
C	Ramada (west) Elevation

2. This Conditional Use Permit (CUP) authorizes the establishment of a 7,353 square foot sit-down restaurant within the existing building located at 1395 Vendels Circle, where the project would be constructed and operate in a manner described in attached exhibits and as required by the conditions contained within this resolution.
3. This project approval shall expire on February 8, 2013, unless a building permit is issued for the project, or unless a time extension request is filed with the Community Development Department prior to expiration.
4. Prior to the issuance of a Business License, any necessary tenant improvement permits shall be applied for and the necessary work be completed to the satisfaction of the Building Department.
5. Prior to issuance of a Business License, a written agreement between the owner of the property at 1395 Vendels Circle and Firestone Walker LLC assuring the retention of the parking spaces for the principal use shall be properly drawn and executed by the parties concerned, approved as to form by the City Attorney and shall be recorded in the office of the county recorder and copies filed with the City prior to issuance of a Certificate of Occupancy or Business License for the principal use. The term of such an agreement shall be a minimum of fifteen years.
6. Prior to the installation of any identification signage, provide sign plans for review and approval by the DRC. The sign plan should include small monument signs at the entrances of the off-site parking areas that identify the parking areas as available for restaurant parking. Depending on the type of signage, building permits may need to be applied for.
7. The site shall be kept in a neat manner at all times and any landscaping shall be continuously maintained in a healthy and thriving condition.
8. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and be subject to approval by the Community Development Director or his designee.

9. 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.
10. The daily operations of this facility shall comply with Section 21.21.040 of the Municipal Code, Performance Standards:
 - A. Fire and Explosion Hazards. All activities involving and all storage of inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire-suppression equipment and devices standard in industry and as approved by the fire department. All incineration is prohibited.
 - B. Radioactivity or Electrical Disturbance. Devices which radiate radio-frequency energy shall be so operated as not to cause interference with any activity carried on beyond the boundary line of the property upon which the device is located. Further, no radiation of any kind shall be emitted which is dangerous to humans. All radio transmissions shall occur in full compliance with Federal Communications Commission (FCC) and other applicable regulations.
 - C. Noise. No land use shall increase the ambient noise level as measured at the nearest residentially zoned property line to a level that constitutes a public nuisance.
 - D. Vibration. No vibrations shall be permitted so as to cause a noticeable tremor measurable without instruments at the lot line.
 - E. Smoke. Except for fireplaces and barbecues, no emission shall be permitted at any point from any chimney which would constitute a violation of standards established by the San Luis Obispo County Air Pollution Control District (APCD).
 - F. Odors. Except for fireplaces and barbecues, no emission shall be permitted of odorous gases or other odorous matter in such quantities as to constitute a public nuisance.
 - G. Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution. No emission shall be permitted which can cause damage to health, animals, vegetations or other forms of property, or which can cause any excessive soiling at any point. No emissions shall be permitted in excess of the standards established by the San Luis Obispo County Air Pollution Control District (APCD).
 - H. Glare. No direct glare, whether produced by floodlight, high-temperature processes such as combustion or welding or other processes, so as to be visible

from any boundary line of the property on which the same is produced shall be permitted. Sky-reflected glare from buildings or portions thereof shall be so controlled by reasonable means as are practical to the end that said sky-reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs.

- I. Liquid or Solid Wastes. No discharge shall be permitted at any point into any public sewer, private sewage disposal system or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, except in accord with standards approved by the California Department of Health or such other governmental agency as shall have jurisdiction over such activities. Manufacturing, processing, treatment and other activities involving use of toxic or hazardous materials shall be designed to incorporate the best available control technologies and wherever technically feasible shall employ a "closed loop" system of containment.

- J. Transportation Systems Impacts. Vehicular, bikeway and/or pedestrian traffic, directly attributable to the proposed land use, shall not increase to a significant extent without implementation of adequate mitigation measures in a form to be approved by the city engineer. In determining significance of impacts, consideration shall be given to cumulative (projected build-out) capacity of streets and highways serving the land use. Mitigation measures required may include but not be limited to curb, gutter, sidewalk, street and/or alley, bikeway, transit related improvements and traffic signalization. Mitigation may be required as pursuant to the California Environmental Quality Act (CEQA), or as a condition of a discretionary review.

PASSED AND ADOPTED THIS 8th day of February, 2011 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

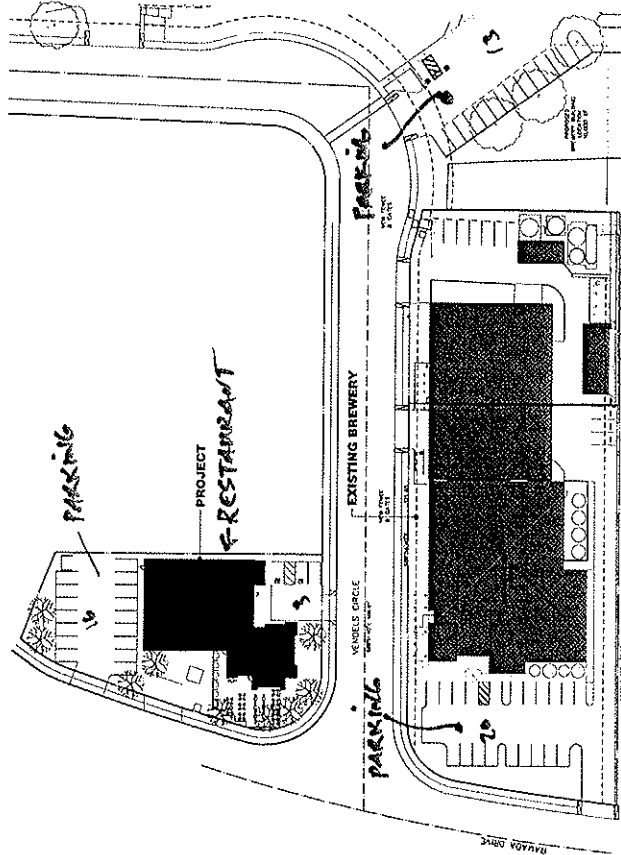
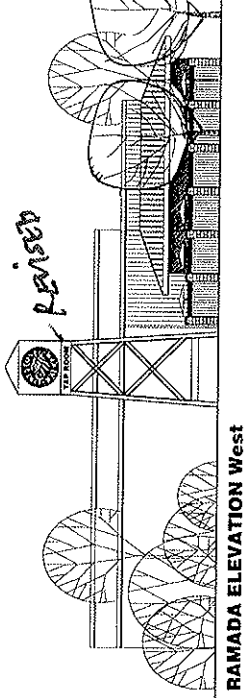
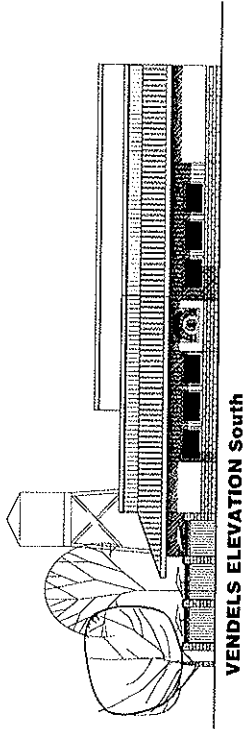
STEVE GREGORY, CHAIRMAN

ATTEST:

RON WHISENAND, SECRETARY OF THE PLANNING COMMISSION

LATEST DATE FOR CONSTRUCTION	
PLANS ISSUED	DATE
ALL PREVIOUS DRAWINGS	REVISION
NO.	DATE
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2	12/15/11
3	12/15/11
4	12/15/11
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22	12/15/11

SCALE	NOTED
DATE	ISSUED
12/15/11	12/15/11
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OF 1	



PROPERTY ADDRESS 1395 VENDELS CIRCLE
 PROJECT TAP ROOM - RESTAURANT
 SITE AREA APPROX. 20,000 SF
 BUILDING AREA
 MAIN FLOOR APPROX. 6541 SF
 2ND LEVEL (STORAGE) APPROX. 512 SF
 3RD LEVEL (SEATING) APPROX. 4,000 SF
 OUTDOOR PATIO 1,100 SF
 PARKING ON-SITE 22

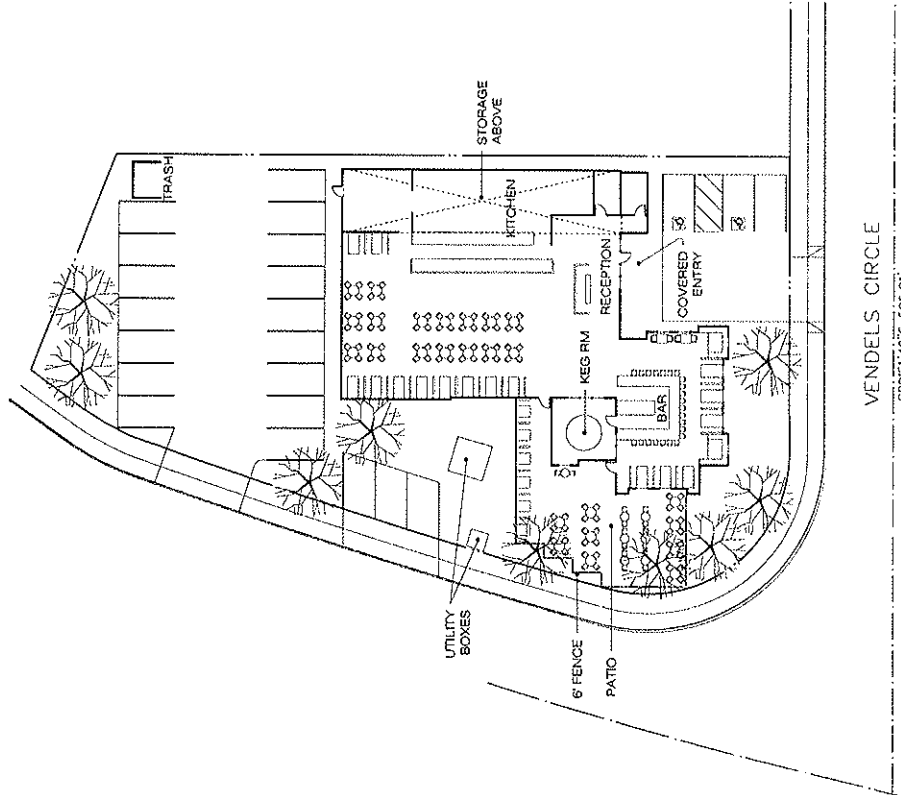


Exhibit A
 Site Plan/Parking Plan
 CUP 11-001
 1395 Vendels Circle
 (Firestone-Walker)

SITE PLAN 11-17

PLAN 11-17

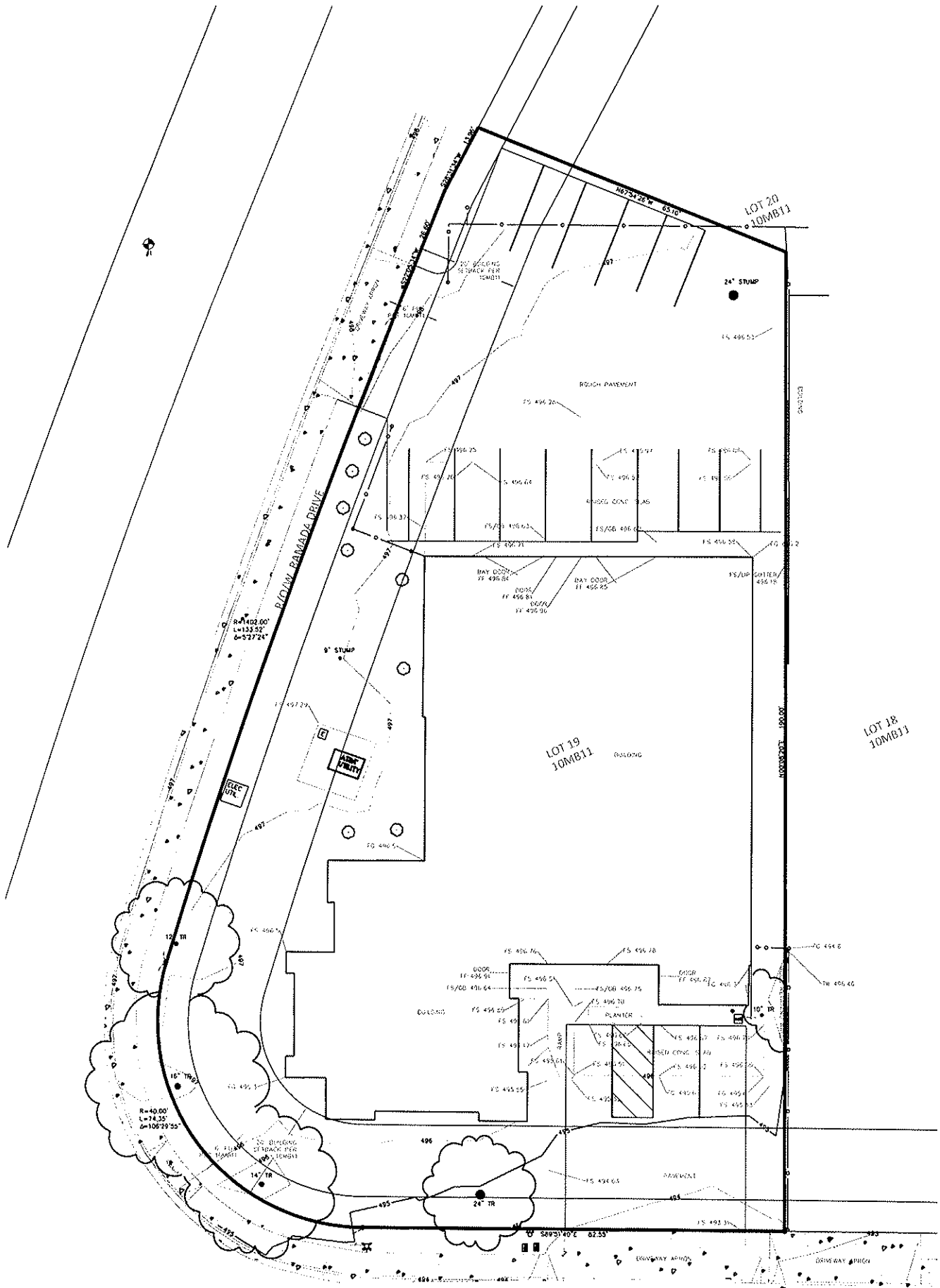
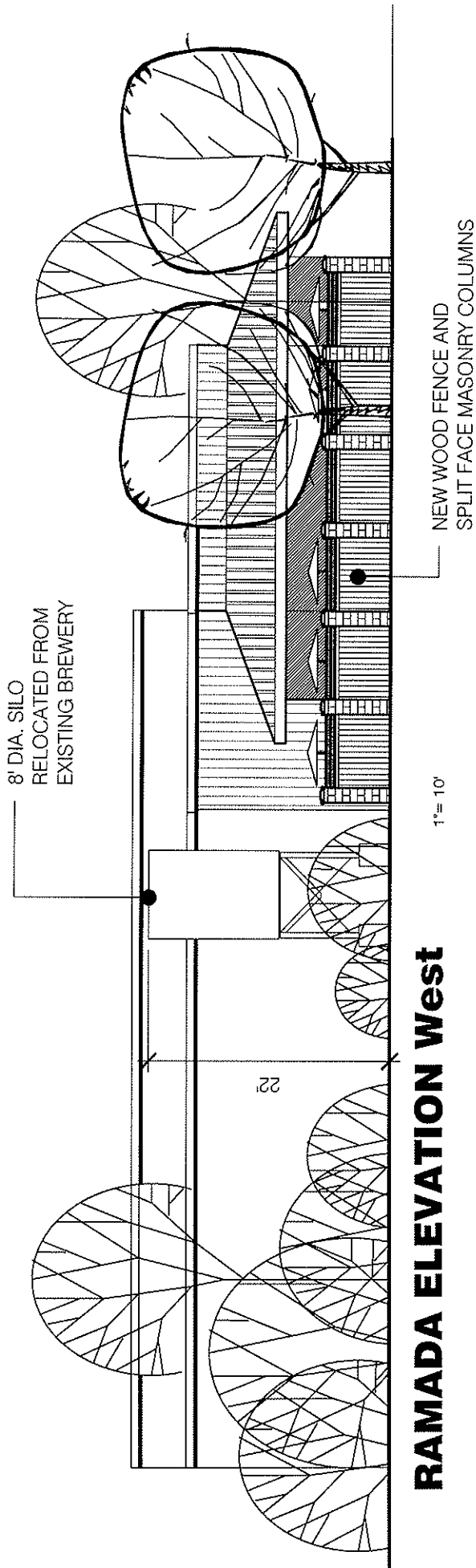


Exhibit B
 Site Plan
 CUP 11-001
 1395 Vendels Circle
 (Firestone-Walker)



RAMADA ELEVATION West

Exhibit C
 Ramada Elevation (west)
 CUP 11-001
 1395 Vendels Circle
 (Firestone-Walker)

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

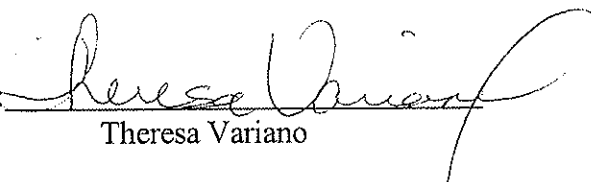
Newspaper: Tribune

Date of
Publication: January 28, 2011

Hearing
Date: February 8, 2011
(Planning Commission)

Project: CUP 11-001 (Firestone Walker LLC)

I, Theresa Variano, 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: 
Theresa Variano

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 11-001, a request filed by Firestone Walker LLC, to establish a restaurant within an existing approximate 6,800 square foot building located at 1395 Vendels Circle. APN: 009-633-019

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 8, 2011, 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 Nash, Associate Planner
January 28, 2011 6926560

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Theresa Variano, 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 11-001 (Firestone Walker, LLC) on this 28th day of January, 2011.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Theresa Variano

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