

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE PERMIT 12-009 (SANDOVAL)

DATE: OCTOBER 23, 2012

Needs: For the Planning Commission to consider an application filed by Manuel Salvador Sandoval, to establish and operate a food cart. (APN: 009-424-026)

Facts:

1. The cart would be within the parking lot located at 609 Creston Road (City Market), see attached Vicinity Map (Attachment 1).
2. Table 21.20.200 requires the approval of a Conditional Use Permit (CUP) for peddling in the C2 zoning district.
3. Mr. Sandoval has a food cart/trailer that would be set up in the parking lot area, in a location that will not impact the parking spaces, back-up area or driveway.
4. The request is to allow daily operation of the cart throughout the day to serve breakfast, lunch and dinner. The cart would open by 7:00am each morning and be open for business throughout the day and be closed and removed by 7pm daily. The cart will be stored in the existing fenced in area on the east side of the City Market building.
5. The Development Review Committee (DRC) reviewed the proposal at their meeting on October 1, 2012. The Committee recommended approval of the CUP as proposed.
6. This application is categorically exempt from environmental review per Section 15301 (existing building) of the State's Guidelines to Implement CEQA.

Analysis
and

Conclusion: The Municipal Code requires the approval of a CUP (peddlers permit) for the sale of merchandise outdoors (peddling) when located on private property. Food vendors are required to get all necessary licenses from the County Health Department prior to the start of business. The CUP has conditions of approval that regulate where the food cart and any accessory items (i.e. canopy, tables, and trash cans) can be placed. Conditions for sign regulation are also included in the CUP.

Policy

Reference: CEQA, The City of Paso Robles Zoning Code

Fiscal

Impact: None identified at this time.

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

- a). Adopt the attached resolution approving the proposed Conditional Use Permit 12-009, subject to standard and site specific conditions of approval;
- b). Amend, modify or reject the above noted options.

Attachments:

1. Vicinity map
2. Applicant's Letter
3. Resolution Approving CUP 12-009
4. Newspaper notice and mail affidavits



NORTH

Creston Rd

SITE

FOOD VENDOR AREA

Tanner

Attachment 1
Vicinity Map
CUP 12-009
(Sandoval)

RECEIVED

SEP 27 2012

Engineering Division

September 24th, 2012

To whom it may concern;

I Manuel Sandoval would like to get a Peddler's permit to sell food at 609 Creston Road, Paso Robles, CA.

I plan to sell lunch and dinner meals with a Paddler's cart at 609 Creston Road, Paso Robles, CA. I think this would be a great benefit for the city and the people of Paso Robles in many different ways. I will provide a clean sanitary and healthier choice to many of the Paso Robles residents, while at the same time also providing tax revenue for the city. I have lived in the San Luis Obispo County most of my life and feel that it is time for me to give something back to my community. I also hope business does very well for me so that I can hire some employees and provide more jobs that we all know are greatly needed in our city. I plan to use all local vendors for all of my produce and my meats so that I can also help some of our many businesses here in Paso Robles that need that extra business to keep the city going strong.

I also want to thank the city of Paso Robles in advance for taking the time to review my application and hope that I can soon be providing some more revenue for our city, and great food to our people.



Manuel Sandoval

Attachment 2
Applicant Letter
CUP 12-009
(Sandoval)

RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 12-009
(MANUEL SANDOVAL)
APN: 009-424-026

WHEREAS, Table 21.16.200 of the City of El Paso de Robles Zoning Code requires approval of a Conditional Use Permit (CUP) for peddlers in the C-2 (Commercial) zoning district; and

WHEREAS, the applicant, Manuel Sandoval has filed a CUP application to establish and operate a food vending cart within the existing parking lot located at 609 Creston Road; and

WHEREAS, a public hearing was conducted by the Planning Commission on October 23, 2012, 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, based upon the facts and analysis presented in the staff report and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance and operation for the requested use and building would be consistent with the General Plan and not 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.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 12-009 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	Plot Plan/Food cart area
B	Food Cart Photos

2. This CUP authorizes the establishment and operation of food vending cart (trailer) as shown in the attached exhibits, within the parking lot located at 609 Creston Road.
3. This project approval shall expire on October 23, 2014, unless the use has not been executed, or unless a time extension request is filed with the Community Development Department prior to expiration.
4. The food vending cart can be operated between 7am and 7pm daily. The cart shall be stored within the existing fenced side yard on the east side of the existing building.
5. All signage shall be reviewed and approved by the Development Review Committee (DRC) as necessary, prior to installation.

6. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Conditional Use Permit process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
7. Any site specific condition imposed by the Planning Commission in approving this project 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 approval of this project. 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 for this approval.

PASSED AND ADOPTED THIS 23rd day of October, 2012 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

AL GARCIA, CHAIRMAN

ATTEST:

ED GALLAGHER, SECRETARY OF THE PLANNING COMMISSION



SITE

FOOD VENDOR AREA

Creston Rd

Tan

Exhibit A
Plot Plan
CUP 12-009
(Sandoval)



Exhibit B
Photos
CUP 12-009
(Sandoval)

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

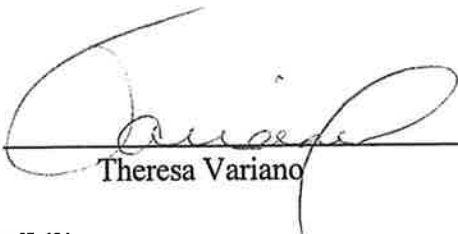
Newspaper: Tribune

Date of
Publication: October 11, 2012

Hearing
Date: October 23, 2012
(Planning Commission)

Project: Conditional Use Permit 12-009 (Sandoval)

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

CITY OF EL PASO DE ROBLES
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 on Tuesday, October 23, 2012, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider the following project:

Conditional Use Permit (CUP 12-009), a request by Manuel Sandoval to establish a food cart within the parking lot of the City Market, located at 609 Creston Road, Paso Robles, California.

The application and staff report may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.

Written comments on the project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970 or by email at dnash@pcity.com.

If you challenge the project 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
October 11, 2012

7002462

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 12-009 (Sandoval) on this 9th day of October, 2012.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____


Theresa Variano