

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: WARREN FRACE, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CODE AMENDMENT 14-003 AND CONDITIONAL USE PERMIT 15-002
1649 RAMADA DRIVE, DON EZELL, APN 009-631-016

DATE: MARCH, 24, 2015

Needs: To make a recommendation to City Council regarding a request for a Code Amendment to add Card Rooms to the list of Conditionally Permitted land uses in the Industrial (M) zoning district, and consideration of a Conditional Use Permit (CUP) to allow establishment of a Card Room at the above location.

Facts:

1. The applicant, Don Ezell, owns and operates the Paso Robles Casino Card Room at 1124 Black Oak Drive. The applicant has applied for a Zoning Code Amendment and a Conditional Use Permit that would allow a card room use at 1649 Ramada Drive, see Attachment 1, Site Location Map.
2. The proposed location for the card room has a General Plan, Land Use Designation of Business Park (BP), which is consistent with the Industrial-Planned Development (M-PD) zoning that applies to the property.
3. Card rooms are listed in the Zoning Ordinance, Table 21.16.200 - Permitted Land Uses for All Zoning Districts, under the section of "Indoor facilities: Private Clubs and Commercial Recreation", which permits card rooms with an approved CUP in the C-1, C-2, C-3, and RC zoning districts.
4. The property on Ramada Drive is zoned Industrial with a Planned Development Overlay (M-PD). The (base) "M" zoning district does not permit or conditionally permit Card Rooms.
5. The Planning Commission previously considered a Code Amendment to add Card Rooms to the list of permitted uses on June 10 2014. The Commission unanimously recommended Council approve adding this use to the M zone.
6. The City Council considered the Code Amendment and the Planning Commission recommendation on July 1, 2014. The Council rejected the proposed Code Amendment (vote 4-1). With this action, and by Council policy and practice, this proposed amendment would not be reconsidered for at least a year.
7. By a request of the applicant, (Mr. Ezell), on January 20, 2015, the City Council approved a request to re-agendize a public hearing of this application on a future agenda before July 1, 2015.
8. If an amendment to add card rooms to the M zone is approved by City Council, an approved Conditional Use Permit would be required to establish this business at the proposed location. Therefore, the Commission is requested to consider a

Conditional Use Permit (CUP) concurrently with the Code Amendment, and make a recommendation on both matters to the City Council.

9. The Development Review Committee (DRC) considered this project on March 9, 2015. The DRC was satisfied with the proposed code amendment and CUP. The DRC recommended consideration of an on-site outdoor smoking area for guests, off-site parking requirements, and they made suggestions regarding the applicants future sign program.
10. These applications are categorically exempt from environmental review per Section 15061 (b)(3) General Rule, of the State's Guidelines to Implement the California Environmental Quality Act.

**Analysis and
Conclusion:**

Code Amendment

Typically, code amendments modifying uses permitted in a specific zone would apply to all properties within the same zone. In this case, since the other properties zoned M are not highway oriented, and do not have other commercial hospitality or entertainment type of uses near them, it may not be compatible to permit card rooms in those locations. If the City supports adding this use to the M zone, the Table 21.16.200, Land Use Table, could include an asterisk notation indicating that card rooms are only permitted in the M zone on Ramada Drive. It should be noted that if the use list is modified, and a CUP is approved for this business at the Ramada Drive location, that the number of card tables permitted in the City is limited by the State to six (6) tables, which Mr. Ezell has exclusive approval to operate all six (6) tables. Therefore, if the CUP is approved for a card room at this location, no other card rooms could be established in the City unless Mr. Ezell's card room is no longer in operation.

It should be noted that card rooms are currently permitted with a CUP in the C-1, C-2, C-3, and RC zones. Therefore, if the City determines that the M zone is not suitable for this use, there are numerous other locations throughout the City where it could be located.

There are three areas in the City that are zoned Industrial (M), see Attachment 2, "M" Zoning Districts. These properties are located at: (1) the intersection of Airport Road and Buena Vista Drive; (2) properties on North River Road, north of Union Road; and (3) properties on Ramada Drive, northeast of the Highway 101/State Route 46 interchange. There is a similar zoning district, Planned Industrial (PM), in other areas of the City, primarily in the Commerce Way area and in the Wisteria Lane development. Those PM zoned areas are intended to attract "clean, indoor, light-manufacturing" types of industry with attractive architecture, landscaping and a somewhat higher quality atmosphere than the M zoning district. Card rooms are not permitted in the PM zoning district.

In terms of the suitability of adding card rooms to the M zone on Ramada Drive, the base Industrial zoning is intended to allow for manufacturing, heavy commercial service, and other uses that may have external impacts that would not be compatible with other zoning districts due to visual impacts, noise, odors, truck traffic, etc. In this case, the properties on Ramada are zoned Manufacturing with a Planned Development Overlay (M-PD). The intention of the overlay district is, as a "gateway" area to the City (prior to adoption of the Gateway Design Standards), to require more design oversight than would be typical of a

straight industrial zone. The application of a PD suggests design purview, such as requiring activities to take place indoors, have outdoor storage areas screened from public view, and that architecture be of a higher quality than purely utilitarian building design.

General Plan Consistency

The General Plan Land Use Element provides two “industrial” land use designations: Industrial (M) and Business Park (BP). Under the zoning code there are four zoning districts: Industrial (M), Industrial Planned Development (M-PD), Planned Industrial (PM), and Airport (AP-PD). The BP designation is consistent with the PM, M-PD and AP-PD zoning districts. The intention of the BP designation is to allow for intense commercial service/light industrial uses, with higher quality architecture, site planning and outdoor screening requirements. The BP land use category reflects this intention in the BP description noted in Table LU-4 of the General Plan. It states:

BP Land Use Definition.

Areas for clean and attractive businesses and industries in which all activities are conducted indoors (some limited outdoor storage and/or activities may be permitted via approval of a conditional use permit and if completely screened). Manufacturing, fabrication, assembly, research and development, industrial services, warehousing, wholesale distribution, and convenience commercial uses particularly those that support industrial uses (e.g. copy/blueprint services, coffee shops, convenience markets, gasoline sales).

General Plan Industrial Land Use Designation and Zoning District Consistency Table	
General Plan Land Use Category	Zoning District
Business Park (BP)	<ul style="list-style-type: none"> • Planned Industrial (PM); • Industrial with Planned Development Overlay (M-PD) • Airport (AP-PD)
Industrial (M)	<ul style="list-style-type: none"> • Industrial (M)

Because of the Planned Development (PD) requirement, the M-PD zone is distinctly different than the M zone which has limited architectural and site appearance requirements. Because of the PD requirement, the M-PD zone is consistent with the intent of the BP land use designation.

In considering the compatibility of card rooms in the M-PD zone/BP land use category, it would be necessary to determine that card rooms are consistent with the intention and typical uses identified for the zone and land use designation. For clarification, per Chapter 5.08.011 of the Municipal Code, “card rooms” are defined as:

Any building or structure, or any portion of a building or structure, or any premises or place where any person or persons are allowed to play a card game as defined in this section. "Card games" as used in this chapter means all forms of card games authorized by the State of California.

The proposed card room includes ancillary uses, including a cocktail lounge and "snack bar" food service area. The cocktail lounge use is also permitted in the M zone subject to approval of a CUP. The snack bar/food service use is permitted "by right". The applicant will need to obtain required licensing by the State to serve alcohol. Security measures for the card room use would adequately address potential concerns with serving alcohol. The applicant is not considering live music or other activities such as a cigar lounge at this time. As a side note, aside from requiring a business license fee, the City only makes revenues from retail sales tax associated with selling food and drinks with this type of business. The City does not receive revenue (e.g. fees) from gambling activities.

If this use can be determined to be consistent with, and compatible in the M-PD zone/BP designation, then specific "findings" will be required to document how card rooms are consistent. As noted in Attachment 3, (Letter from the Applicant), the applicant describes card rooms as a "hospitality" business. As such, this use would not support or be related to most other uses in the zoning district or land use category, however, external impacts from a business that operates indoors would likely be minimal.

Conditional Use Permit

Conditional Use Permits apply to activities that might not otherwise be compatible with surrounding development, due to potential impacts (e.g. operational, environmental, etc.), but when specific mitigations or conditions of approval are applied, potential impacts can be reduced or eliminated thereby ensuring (to the extent possible) that the use will be compatible with surrounding properties and activities.

The CUP process also provides the City discretion to consider potential issues, receive public input from the community, and determine if a proposed use is suitable in a particular location.

The existing card room has an approved Conditional Use Permit 08-009, whereby specific conditions of approval address potential safety and security concerns. Conditions include requirements to install interior and exterior security cameras and lighting fixtures, have security personnel on duty during business hours, and others. The California Gambling Control Act, Business & Professions Code §12396, chapter on "Surveillance" sets forth applicable regulations regarding safety and security requirements prescribed by the State, see Attachment 6. The Police Chief noted that since this location on Ramada Drive is much farther out from town, that the police department would not be able to patrol the new location on a regular basis.

Another aspect to consider with a CUP for a card room at this location is related to onsite parking requirements. The zoning code does not have specific parking provisions for this type of land use. Other cities in the area also do not have specific parking requirements for card rooms since this is a fairly unique land use. The code

provides the City with the ability to determine parking based on the needs of the specific needs of a project. Table 21.22.01 (1) notes: “Where specific parking requirements are not listed, an interpretation of parking impacts and spaces needed based on a similar use may be determined by the Community Development Director.” In this case, some of the uses of the building would fit under specified parking requirements (e.g. office, general commercial – such as food service, and warehouse), however card tables should require parking spaces for each seat. Typically, card players as well as employees, arrive in separate vehicles. The proposed card room includes permission to allow up to six (6) card tables.

The following staff recommended parking requirements were reviewed with the applicants’ representatives:

Parking Spaces for Card Room	
4 tables, with 6 seats and 1 dealer each	28 parking spaces (24 guests, 4 dealers)
2 tables, with 4 seats and 1 dealer each	10 parking spaces (8 guests, 2 dealers)
Lounge/snack bar area	2 parking spaces
Office area	3 parking spaces
Total parking spaces	43 parking spaces

The site can accommodate 20 on-site parking spaces. The balance of parking spaces (23 spaces) would need to be provided off-site. The parking code, under section 21.22.130, Joint Use Parking, authorizes the Planning Commission to approve joint use of parking spaces when parking facilities would be used at different times of the day. In this case, the applicant is proposing joint use of parking facilities across the street at Paris Precision (a manufacturing and assembly business) since they operate during the day, and the peak hours for the card room are in the evening. The owners of Paris Precision have provided a letter (attached) agreeing to participate in an agreement to allow the owners of the card room to use 23 parking spaces on their property. To effectuate this agreement, as required by the parking ordinance, the applicant would be conditioned to provide documentation of a legal agreement for such joint use. The applicant would also be required to install sidewalk frontage improvements to the north and handicapped-compliant curbs to provide safe, accessible access from the card room property to parking on the east side of the street at Paris Precision.

Reference: 2003 General Plan, Zoning Code, Uptown/Town Center Specific Plan, CEQA, 2014 Planning Commission Meeting Minutes, 2014 City Council Meeting Minutes

Fiscal Impact: None.

Options: After consideration of any public testimony the Planning Commission may recommend the City Council approve one of the following options:

Option 1:

- a. Adopt the attached Ordinance adopting Code Amendment 14-003;
- b. Adopt the attached Resolution approving Conditional Use Permit 15-003; or

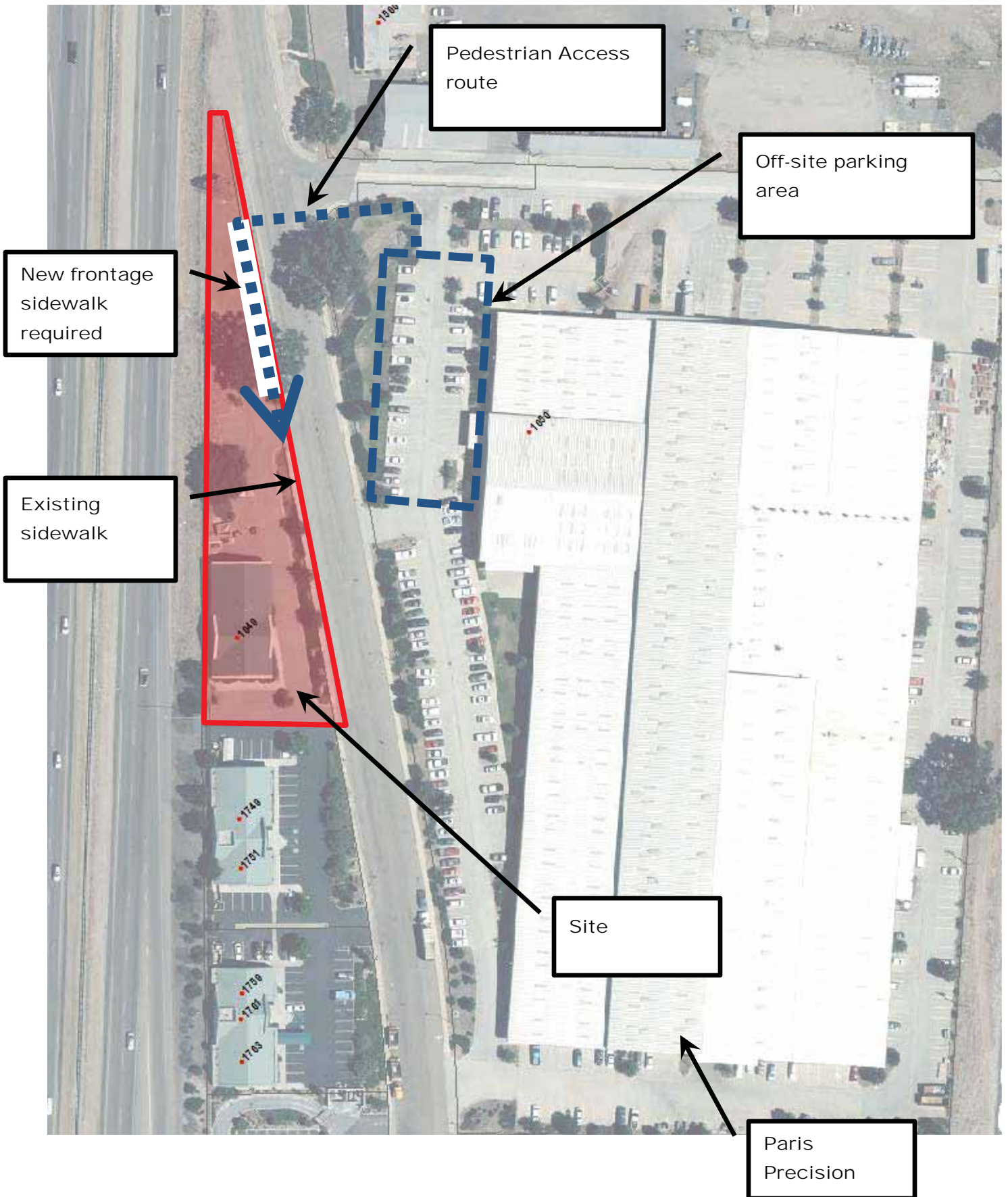
Option 2:

- b. Amend, modify or reject the foregoing options.

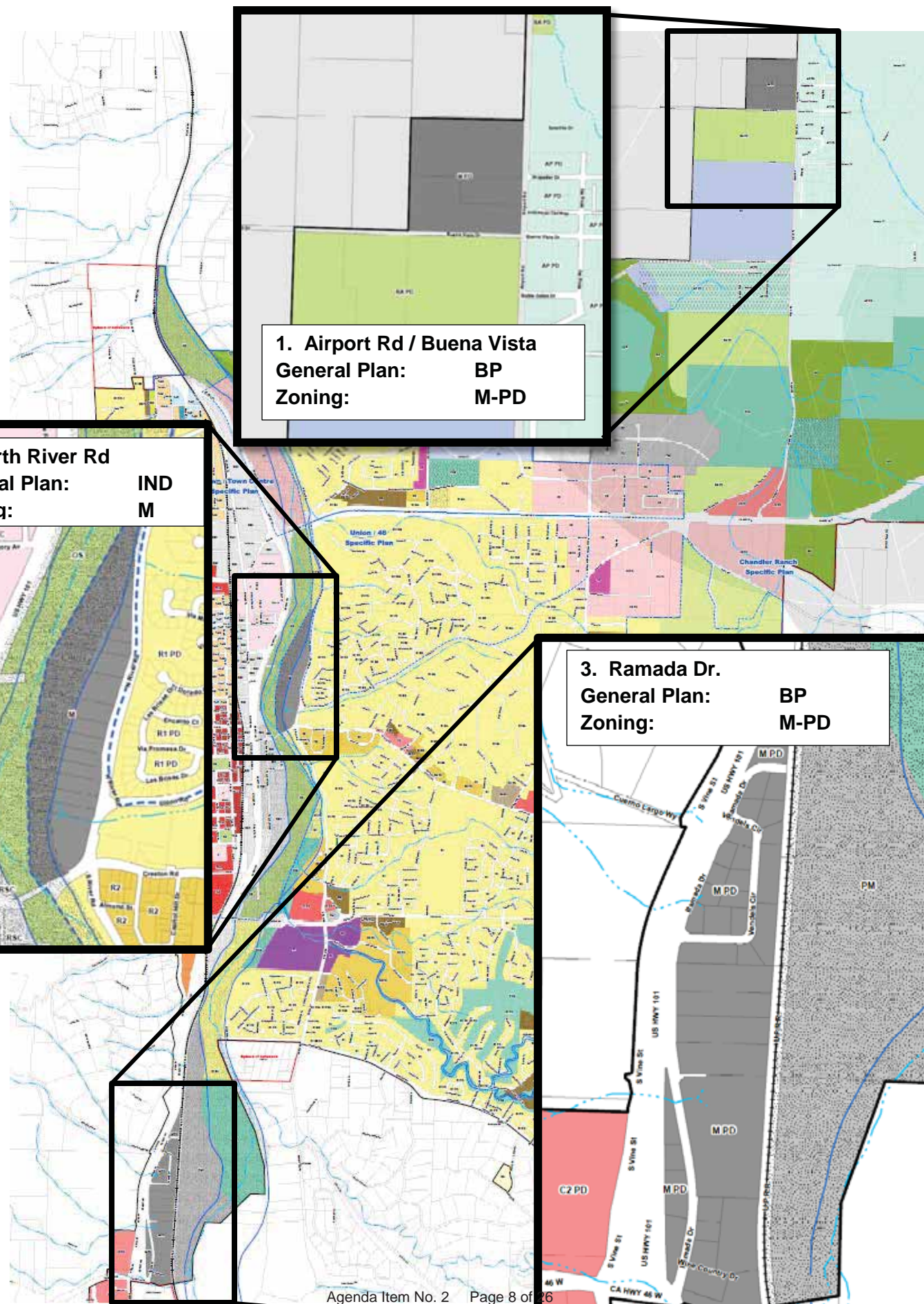
Attachments

1. Location Map
2. "M" Zoning District Map
3. Letter from the Applicant
4. Letter from Paris Precision
5. Site Plan
6. Elevations
7. Floor Plans
8. Ordinance to Approve Zoning Code Amendment
9. Resolution to Approve CUP
10. Public Hearing Notices

Off-Site Parking Location



"M" Industrial Zoning Districts Location



1. Airport Rd / Buena Vista
General Plan: BP
Zoning: M-PD

2. North River Rd
General Plan: IND
Zoning: M

3. Ramada Dr.
General Plan: BP
Zoning: M-PD

1124 Black Oak Drive
Paso Robles, California 93446

Re: CUP Application/Zoning Designation—PROJECT DESCRIPTION

Ours is a hospitality business conducted entirely indoors. The proposed project is for a cardroom in an existing “M” manufacturing/industrial zone that is currently occupied by other commercial uses. Councilman Fred Strong has suggested that the area at issue is actually a business park. In either event, we believe that the highest and best use for the building we own at 1649 Ramada Drive is our community cardroom. We propose to relocate from 1124 Black Oak Drive, and our new cardroom will replace the current commercial tenant (carpet, flooring and showroom).

The proposed project site features an existing commercial building with two floors. We are proposing a tenant improvement for a cardroom to feature a small kitchen, dining, storage, new restrooms, and existing warehouse. The second floor will be partially remodeled to serve as storage and office space. The exterior facade and landscaping will remain mostly the same. There will be no pole signage. There will be minor upgrades in exterior painting, landscaping, and maintenance.

The project site is currently zoned as “M” manufacturing and industrial, and according to Table 21.16.200 of the Paso Robles Municipal code, the proposed type of use (“card room”) is currently non-permitted (*see Fig. 1*). We are proposing that the Paso Robles Municipal code be amended to have a “C” (conditional use) designation, which allows this project to be approved through a Conditional Use Permit (CUP). This conditional approval would allow for this commercial (“C”) tenant to be located amongst other accessory commercial uses (*see Fig. 2*) on this specific site within the “M” zone. Although designated manufacturing there are other compatible businesses of various types operating in the Ramada corridor in services, hospitality, restaurant, etc., and the card room represents another compatible use. There is ample parking and adequate city services. Additional parking arrangements are being put into place directly across the street at 1650 Ramada (Paris Precision Products) to allow up to an additional 60 parking spaces. The Ramada corridor remains in flux, but there is an opportunity to locate another compatible and complimentary business there. There is community benefit through jobs, growth, and sales tax revenue. At least twenty local families are presently affected and moderate growth will produce another 15-25 jobs. The documents herein serve as the application items for the Conditional Use Permit for this proposed project.

Respectfully,

Donald G. Ezzell



Metal Fabrication to Modular Solutions

PARIS PRECISION PRODUCTS, LLC

1650 Ramada Dr. Paso Robles, CA 93446
Phone: 805-239-2500 Fax: 805-591-1458

February 11th 2015

Robert Ezzell
Paso Robles Casino
1124 Black Oak Dr.
Paso Robles
CA 93446

Dear Robert,

Paris Precision is willing to negotiate the sub-lease of 60 parking spaces from our facility across the road from 1649 Ramada Drive (your new location). We are currently a day shift only operation, meaning that we have different work schedules and spaces are available at night and weekends. If our work pattern changes we reserve the right to terminate any agreement that we may enter into.

Best Regards,

A handwritten signature in black ink, appearing to read "Roger Cockroft", written over a light blue horizontal line.

Roger Cockroft
General Manager
Paris Precision

LEGEND

- ADA PATH OF TRAVEL
- DIRECTION OF TRAVEL
- AND 1:81 MAX. CROSS-SLOPE
- DIRECTION OF TRAVEL
- OCCURS
- EXISTING EXTERIOR DOWNLIGHT TO REMAIN

GENERAL NOTES

1. WALLS AND SIDEWALKS SHALL BE A MINIMUM OF 48" CLEAR IN WIDTH AND HAVE A CONTINUOUS COMMON SURFACE NOT INTERRUPTED BY STEPS OR BY OTHER CHANGES IN LEVEL EXCEEDING 1/4" IN HEIGHT.
2. WHEN ABRUPT CHANGES IN LEVEL EXCEEDING 1/4" OCCUR, THEY SHALL BE TRANSITIONED WITH A SLOPE NO GREATER THAN 1:3. EXCEPT WHERE NOTED OTHERWISE, CHANGES IN LEVEL NOT EXCEEDING 1/4" MAY BE VERTICAL.
3. OBSTRUCTIONS OVERHANGING WALKWAYS SHALL BE AT LEAST 6" CLEAR ABOVE THE WALKWAY SURFACE. OBSTRUCTIONS SHALL NOT REDUCE THE WALK CLEAR WIDTH BY MORE THAN 12".
4. PARKING SPACES, ACCESS AISLES, AND DRIVEWAYS SHALL PROVIDE A VERTICAL CLEARANCE OF 5'8" MINIMUM.
5. ALL ACCESSIBLE AREAS, PEDESTRIAN WALKWAYS AND SIDEWALKS SHALL BE SURFACE DRAINAGE AND NOT ACCUMULATE WATER.

LGA
LARRY GABRIEL
ARCHITECT

1649 RAMADA DRIVE
 PASO ROBLES, CA 93446
 TEL: 805.226.2811
 FAX: 805.226.2811

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 PASO ROBLES, CA 93446
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CONDITIONAL USE PERMIT PACKAGE FOR

PASO ROBLES CARDROOM

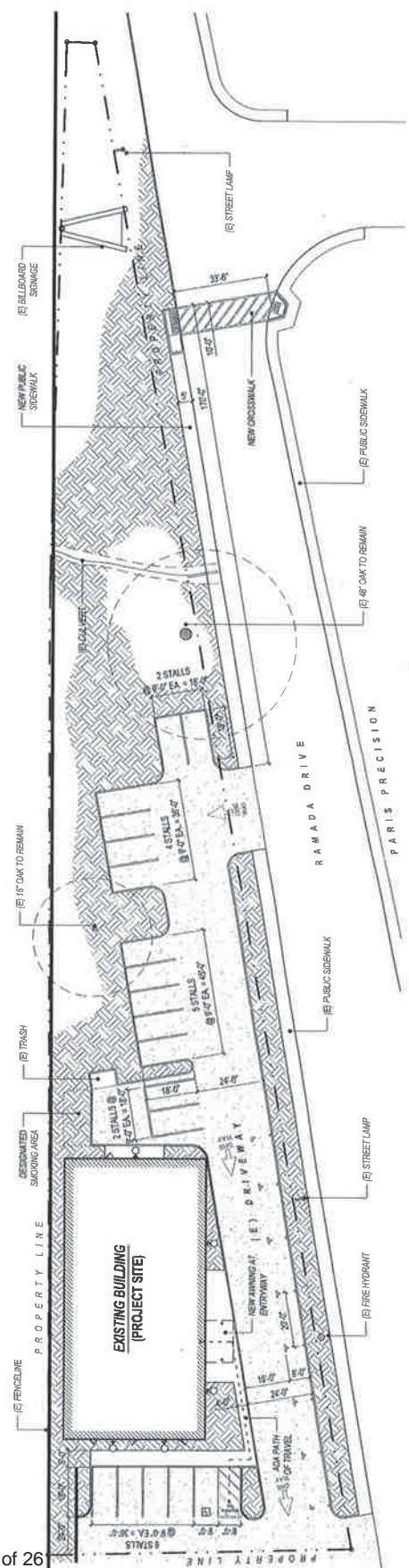
1649 RAMADA DRIVE
 PASO ROBLES, CA 93446
 APN: 009-631-016

NO.	DESCRIPTION	DATE	BY
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SITE PLAN

14-101-01

A 1.0



SITE PLAN
 25 STALLS TOTAL SHOWN. 60 STALLS OFF-SITE AVAILABLE.
 SEE SHEETS 15.1 FOR PARKING REQUIREMENTS. SHEETS 15.0 FOR OFF-SITE PARKING.



PLANT LEGEND

- * MAULEBERGIA (DEER GRASS)
- VARIOUS PER PLAN
- ESCALONIA FRAGRANS (FRAGRANT)
- CENOTHUS VOICE (COUNTRY)
- (E) HETEROMELES ARBUTIFOLIA (TOTOY)
- SMALL TREE PER PLAN
- MEDIUM / LARGE TREE PER PLAN

IRRIGATION NOTES

ALL EXISTING PLANTINGS ARE IRRIGATED BY THE EXISTING IRRIGATION SYSTEM. IRRIGATION SYSTEM SPRAY SYSTEMS SHALL BE DESIGNED TO PREVENT OVER-SPRAY ON BUILDINGS, WALKWAYS, AND DRIVEWAYS, AND SHALL BE DESIGNED TO MINIMIZE WATER USAGE.

EACH CIRCUIT SHOULD CONSIST OF REMOTE CONTROL VALVES LOCATED IN VALVE BOXES LOCATED AT GRADE. POP-UP SPRINKLER HEADS SHOULD BE USED IN AREAS WHERE THERE IS A HIGH TRAFFIC BY PEOPLE OR VEHICLES, SUCH AS ON LAWNS. DRIP EMITTERS SHALL BE PRESSURE COMPENSATING AND SELF-CLEANING. DRIP LINES SHALL BE INSTALLED AT 18" SPACINGS WITHOUT LOOPING OR BACKFITS WITH THE MAIN IRRIGATION LINES. DRIP FITTINGS ON STANDARDS SYSTEMS SHALL BE COMPRESSION TYPE WITH DRIP TUBING AT 4" INTERVALS MINIMUM.

CONDITIONAL USE PERMIT PACKAGE FOR

PASO ROBLES CARDROOM

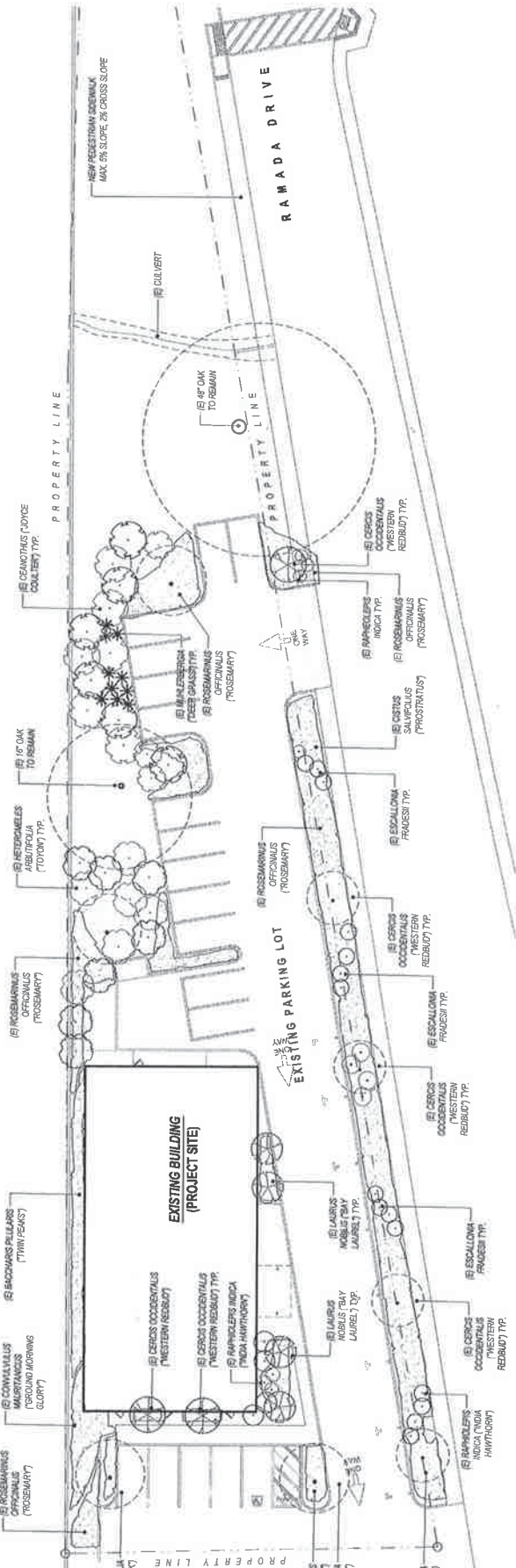
1649 RAMADA DRIVE
 PASO ROBLES, CA 93446
 APN: 009-631-016

NO.	DESCRIPTION	DATE	BY
1	CITY PROPOSE	02-20-20	ES/LSR
2	CITY PROPOSE	02-20-20	ES/LSR

LANDSCAPE PLAN

14-701.01

L1.0



PROPOSED PERSPECTIVES:

BUILDING RETAINS SAME CHARACTER. NO CHANGE TO LANDSCAPE.



VIEW FROM SOUTH-EAST (RAMADA DRIVE)



VIEW FROM WEST (FREEMWAY)



805.238.9600
LARRYGABRIEL.COM

MATERIALS:

- EXISTING STUCCO FINISH COLOR TO REMAIN
- EXISTING STANDING SEAM METAL ROOF TO REMAIN
- EXISTING AWNINGS TO REMAIN
- EXISTING ALUMINUM DOOR + WINDOW FRAMES TO REMAIN
- 3 NEW BACKLIT SIGNAGE, SIM. TO (E) SIGNAGE (SEPARATE PERMIT), 100 SF TOTAL ALLOWED PER PR MUNICIPAL CODE SECTION 21.19.040.B.
- 4 NEW STOREFRONT DOORS
- 5 NEW AWNING TO MATCH EXISTING AWNINGS

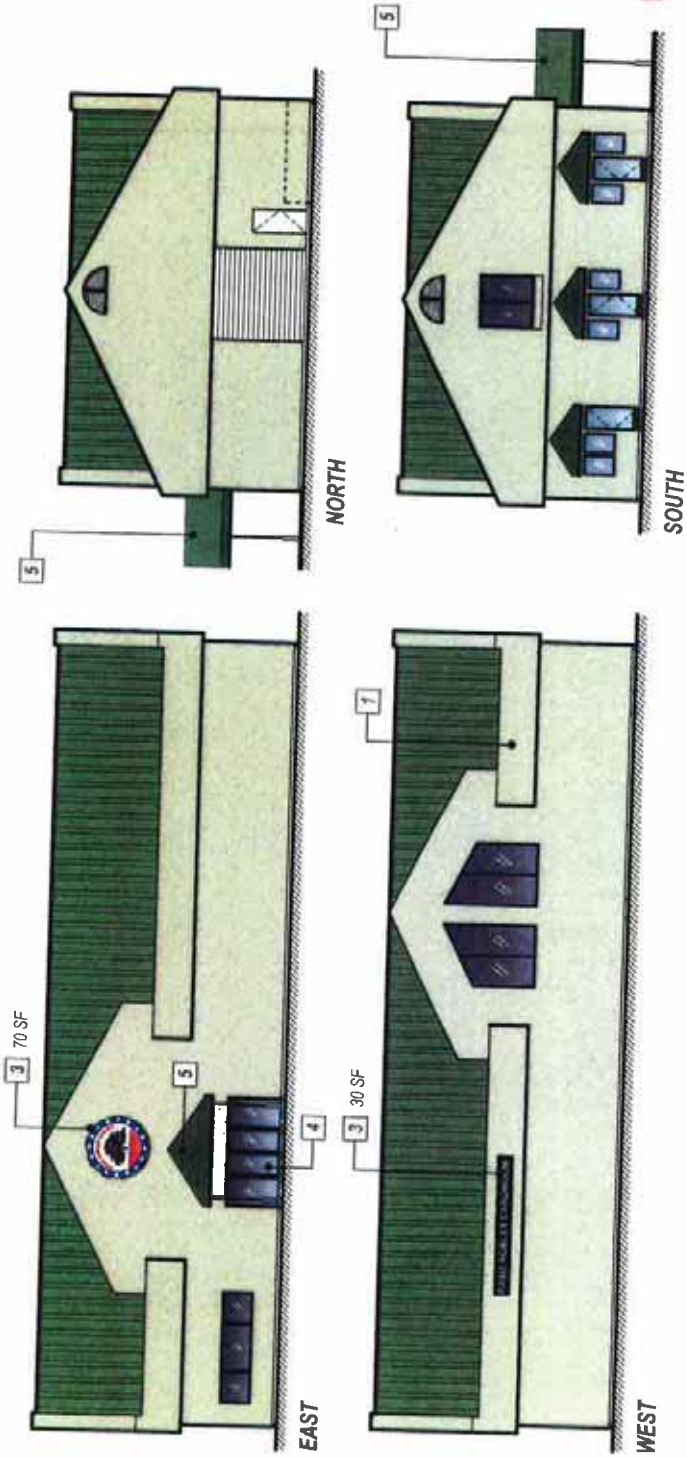
CONDITIONAL USE PERMIT

FOR
PASO ROBLES CARDROOM
1649 RAMADA DRIVE
PASO ROBLES, CA 93446
APN: 009-631-016

RECEIVED
MAY 1 2015
City of Paso Robles

DATE: MARCH 12, 2015
PROPOSED

PROPOSED ELEVATIONS:



0 4 8 16 SCALE: 1/16" = 1'-0"



LARRY GABRIEL ARCHITECT
 5201 W. 14th Street
 San Diego, CA 92161
 Tel: 619.594.8888
 Fax: 619.594.8889
 www.lgarchitect.com



CONSULTANT

PROJECT

CONDITIONAL USE PERMIT
 PACKAGE
 FOR

PASO ROBLES
 CARDROOM

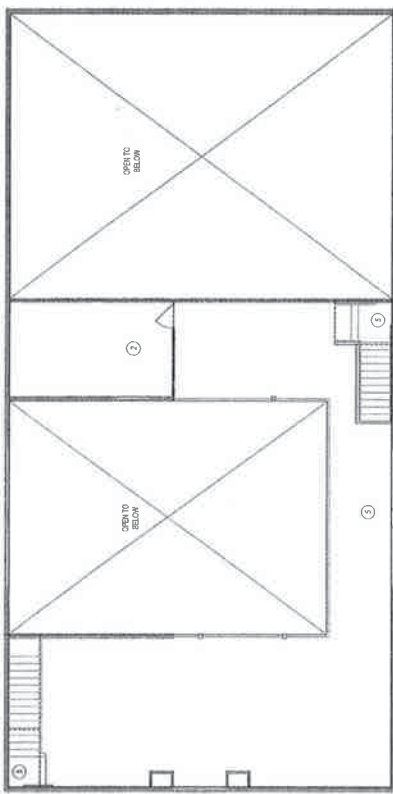
1649 RAMADA DRIVE
 PASO ROBLES, CA 93446
 APN: 009-631-016

NO.	DATE	DESCRIPTION
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99	02/15/20	REVISED PER COMMENTS
100	03/01/20	REVISED PER COMMENTS

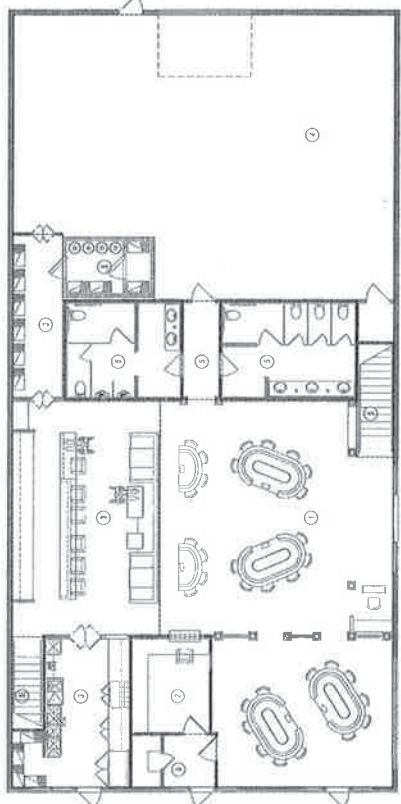
OCCUPANCY + EXITING,
 TOILET, PARKING
 REQUIREMENTS

14-2701.01

TS 1.1



SECOND FLOOR



GROUND FLOOR

SPACE	PARMING REQUIRED:
1 GAMING AREAS:	22 PEOPLE/STALLS
2 OFFICE / SECURITY:	1 PERSON PER CHAIR
3 ATTACHEM / DINING:	1 DEALER PER TABLE
4 WASH-ROOMS:	400 SF @ 3 STALLS PER 1,000 SF
5 STORAGE / CIRCULATION / RESTROOMS:	800 SF @ 3 STALLS PER 1,000 SF
	1,575 SF @ 3 STALLS PER 1,000 SF
	2 STALLS
	0.5 STALLS
TOTAL PARKING REQUIRED:	46 STALLS REQUIRED
TOTAL PARKING PROVIDED:	28 STALLS ON-SITE PER STREET A/D
	18 STALLS PROVIDED PER LOTTERY USE (114)
	8 STALLS PROVIDED

OVERALL PARKING REQUIREMENTS



RESOLUTION NO.

A RESOLUTION OF THE CITY OF EL PASO DE ROBLES
PLANNING COMMISSION RECOMMENDING AN AMENDMENT
TO TITLE 21 (ZONING) OF THE MUNICIPAL CODE TO THE CITY COUNCIL
TO MODIFY TABLE 21.16.200 - PERMITTED LAND USES FOR ALL ZONING DISTRICTS
(CODE AMENDMENT 14-003 - EZZELL)

WHEREAS, Code Amendment 14-003 has been filed by Don Ezzell on behalf of the Paso Robles Casino, requesting to amend Table 21.16.200 of the City of El Paso de Robles Zoning Ordinance, to allow card rooms in the Industrial (M) zoning district with the approval of a Conditional Use Permit; and

WHEREAS, Mr. Ezzell owns and operates the Paso Robles Casino which is currently located at 1124 Black Oak Drive and would he would like to relocate the card room to a new location at 1649 Ramada Drive; and

WHEREAS, the Ramada Drive area is zoned Industrial (M-PD), and Table 21.16.200 of the Zoning Code does not allow card rooms in the M zone; and

WHEREAS, code amendments modifying uses permitted in a specific zone would typically apply to all properties within the same zone; and

WHEREAS, properties in the M zone are intended to allow for manufacturing, heavy commercial service, and other uses that may have external impacts that would not be compatible with other zoning districts due to visual, noise, odors, and truck traffic impacts; and

WHEREAS, the subject property located at 1649 Ramada Drive has high visibility to Highway 101, and has a broader range of other land uses (e.g. church, restaurants, retail space), than typically found in other M zone locations; and

WHEREAS, and card rooms attract highway-oriented travelers in addition to local patrons; and

WHEREAS, the subject property is zoned M with a Planned Development Overlay, “M-PD”, in which the “PD” indicates a greater expectation for more design oversight to ensure the quality of overall project design, architectural treatment, and compatibility with surrounding development than purely utilitarian building designs in typical M zones; and

WHEREAS, the General Plan Land Use Element provides a compatible land use category for the “M-PD” zone with the land use designation of Business Park (BP) for this area, which supports the “gateway” nature of the location. The intention is allow for more intense commercial service/light industrial uses, but require screening, higher quality architecture, etc., as demonstrated by the following BP Land Use Category description:

Areas for clean and attractive businesses and industries in which all activities are conducted indoors (some limited outdoor storage and/or activities may be permitted via approval of a conditional use permit and if completely screened). Manufacturing, fabrication, assembly, research and development, industrial services, warehousing, wholesale distribution, and convenience commercial uses, particularly those that support industrial uses (e.g. copy/blueprint services, coffee shops, convenience markets, gasoline sales).

WHEREAS, in this case, since other M zoned properties in other locations in the City are not highway-oriented, and do not have as broad a range of other commercial uses near them, a card room may not be compatible in those other locations, therefore, Table 21.16.200, Land Use Table, should include an asterisk notation indicating that card rooms are only permitted in the M-PD zone on Ramada Drive; and

WHEREAS, since other uses in the M-PD zone on Ramada Drive have generally been developed with indoor activities and outdoor screening, and do not result in as significant external impacts as other typical uses in an M zone, and the proposed card room use would conduct business indoors and not result in external impacts, and there is a broad mix of land uses in the M-PD zone, the proposed card room use could be found compatible in the M-PD zone on Ramada Drive, subject to a notation in Table 21.16.200, Land Use Table, indicating card rooms may only be permitted in the M-PD zone subject to approval of a Conditional Use Permit; and

WHEREAS, this application is categorically exempt from environmental review per Section 15061(b)(3) (General Rule) of the State’s Guidelines to Implement CEQA; and

WHEREAS, at its meeting on March 24, 2015, the Planning Commission conducted a public hearing on the proposed Code Amendment and took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this ordinance;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Recommended the City Council adopt the proposed ordinance.

NOW, THEREFORE, the Planning Commission of the City of El Paso de Robles hereby recommends the City Council amend Title 21 (Zoning) of the Municipal Code, Table 21.16.200, to permit Card Rooms in the Industrial (M-PD) zoning district on Ramada Drive, as shown in the attached Exhibit “A”.

AYES:
NOES:
ABSTAIN:
ABSENT:

Vince Vanderlip, Chairperson

ATTEST:

Warren Frace, Secretary of the Planning Commission

Exhibit A

TABLE 21.16.200
(As amended through Ordinance 988 N.S.)
PERMITTED LAND USES FOR ALL ZONING DISTRICTS

EXPLANATION OF CODES USED IN THIS CHART

- P (permitted use) denotes a land use which is permitted.
- C (conditional use) denotes a land use which requires approval of a conditional use permit (CUP).
- N (non-permitted use) denotes a land use which is not permitted.
- T (temporary use permit) denotes a land use which requires approval of a temporary use permit per Chapter 21.23C.

NOTES:

1. All uses are subject to compliance with the general regulations and performance standards contained within Chapters 21.20 and 21.21, and specific limits and/or restrictions contained in chapters for specific zoning districts. Additionally, there may be limits and restrictions within overlay zoning districts and specific plan areas.
2. Any use not specifically listed below is not permitted unless the Planning Commission determines a particular land use to be similar to another permitted, conditional or temporary use within a particular zoning district.

LAND USE	ZONING DISTRICT																		
	AG	RA	R1	R2	R3	R30	R4	R5	OP	CP	C1	C2	C3	RC	M	PM	AP	POS	
E. Private Club and Commercial Recreation																			
1. Indoor Facilities:																			
a. Amusement arcades (video games, pinball, etc.) 4 or more games constitutes an arcade.	N	N	N	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N	N
b. Bowling alleys	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N	N
c. Card rooms	N	N	N	N	N	N	N	N	N	N	C	C	C	N	C#	N	N	N	N
d. Dance halls, dance schools	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N
e. Gyms, health spas, etc.	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N
f. Pool/billiard halls	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N	N
g. Racquetball, handball courts	N	N	C	C	C	C	C	C	N	N	P	P	P	P	P	P	P	P	N
h. Shooting Range	N	N	N	N	N	N	N	N	N	N	N	N	P	N	P	N	P	P	N
i. Skating Rink (ice, roller)	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N	N
j. Theaters (* Requires a finding that a theater will not be detrimental to the City's efforts to revitalize the downtown.)	N	N	N	N	N	N	N	N	N	C*	P	C*	C*	C*	N	N	N	N	N

RESOLUTION NO.

A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT 15-002
TO THE CITY COUNCIL
FOR A CARD ROOM AND COCKTAIL LOUNGE
LOCATED AT 1649 RAMADA DRIVE
APN 009-631-016, APPLICANT – DON EZELL

WHEREAS, Conditional Use Permit (CUP 15-002) is a proposal to establish a card room business with six (6) card tables, and ancillary uses including a cocktail lounge and restaurant at 1649 Ramada Drive, filed by Don Ezell; and

WHEREAS, the business is proposed is in the Industrial (M-PD) zoning district; and

WHEREAS, the proposed business may be permitted with approval of a Conditional Use Permit in the M-PD zone; and

WHEREAS, the proposed card room would be consistent with the applicable M-PD zoning district and the intent of the General Plan Land Use Designation of Business Park (BP), since the zoning and land use designation allows for a range of commercial uses, the card room activities would take place indoors, and there would be no change in external impacts on surrounding development compared to the current use of the site; and

WHEREAS, all activities associated with the proposed business would be conducted indoors, (except for an outdoor smoking area which is shown on the Site Plan, provided in Exhibit A), therefore the use would be compatible with surrounding land uses in the near vicinity; and

WHEREAS, the location of the proposed use is not in an area routinely patrolled by the Paso Robles Police Department, however, the applicant will provide uniformed security guards during the hours of operation to address security concerns to deter potential crime, and the applicant will comply with regulations set forth in the California Business and Professions Code §12396 for installing and operating a surveillance system; and

WHEREAS, in compliance with the City Zoning Ordinance, Off-Street Parking regulations, a determination has been made that the proposed card room would require 43 off-street parking spaces. Since the project site can only accommodate 20 parking spaces, the applicant has agreed to comply with a condition of approval to record a parking agreement with the property owner located to the east of the site (i.e. Paris Precision, APN 009-631-017), and will effectuate a Joint Use Parking Agreement for use of up to 23 parking spaces on the Paris Precision property. The term of the agreement would need to remain in effect as long as a card room business is in operation on the project site; and

WHEREAS, the Planning Commission held duly noticed public hearing on March 24, 2015 to accept public testimony on this Conditional Use Permit application; and

WHEREAS, based upon the facts and analysis presented in the staff report, and public testimony received, the Planning Commission finds that by conducting all business indoors (except for smoking), providing the required parking, and addressing safety concerns, that the proposed business will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing

or working in the neighborhood of the proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City if the business is in compliance with the required conditions of approval as set forth in the following Conditions of Approval.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby recommend approval of Conditional Use Permit 15-002 to the City Council subject to the following conditions and exhibits:

STANDARD CONDITONS

1. The project shall be operated in substantial conformance with the following conditions established by this resolution:
2. Any condition imposed by the City Council 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 City Council 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.
3. This CUP 15-002 is valid for a period of two (2) years from the date of approval. Unless a business license has been issued, the approval of CUP 15-002 shall expire on March 24, 2017. The City Council 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. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
5. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
6. Use and operation of the business and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).

SITE SPECIFIC CONDITONS

7. The card room shall be designed, constructed and operated in substantial conformance with the exhibits attached to this resolution:

EXHIBITS:

- A Site Plan
- B Elevations
- C Floor Plan

8. The applicant shall ensure that a uniformed security guard is employed as specified by the Police Chief during hours of business operation. Said uniformed security guard shall escort business customers to their vehicles, upon request by customers.

8. The applicant shall install, operate and maintain an interior and exterior Surveillance Plan utilizing video cameras in compliance with State Business & Professions Code, Surveillance §12396.
9. In compliance with the City Zoning Ordinance, Chapter 21.22 Off-Street Parking Regulations, the applicant shall provide 43 off-street parking spaces prior to operating this business. The applicant may provide the required parking spaces on the project site and/or through use of a Joint Use Parking Agreement for use of up to 23 parking spaces, as provided for in Section 21.22.130 of the parking regulations. The applicant shall record a parking agreement with the property owner of 1612 Ramada Drive, APN 009-631-017. The term of the agreement shall remain in effect as long as a card room business is in operation on the project site.
10. A sign program application shall be submitted and reviewed by the Development Review Committee prior to approval and installation of any business signs.
11. This Conditional Use Permit shall be reviewed by the Police Chief annually to determine if this business has resulted in security/police incidents of concern to the Police Department. If the Police Chief determines that this business is resulting in detrimental security and safety issues then the Conditional Use Permit shall be reconsidered by the Planning Commission to address those concerns.

PASSED AND ADOPTED THIS 24th day of March, 2015 by the following Roll Call Vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Vince Vanderlip, Chairperson

ATTEST:

Warren Frace, Secretary of the Planning Commission



ARCHITECTURAL OFFICE
2211 Valparaiso Drive
San Ramon, CA 94583
760.228.2888
www.larrycarriel.com
larrycarriel@larrycarriel.com



LEGEND

--- ADJACENT TO TRAVEL
DIRECTION OF TRAVEL
AND 1:48 MAX. CROSS-SLOPE
WHERE PATH OF TRAVEL
OCCURS

○ EXISTING EXTERIOR
DOWN-LIGHT TO REMAIN

GENERAL NOTES

1. WALKS AND SIDEWALKS SHALL BE A MINIMUM OF 4" CLEAR WIDTH AND HAVE A CONTINUOUS COMMON SURFACE NOT INTERRUPTED BY STEPS OR BY ANY OTHER CHANGES IN LEVEL EXCEED UP IN HEIGHT.
2. WHEN ABRUPT CHANGES IN LEVEL EXCEEDING 1/4" OCCUR, THEY SHALL BE BEVELED WITH A SLOPE NO GREATER THAN 1:48. CHANGES NOT EXCEEDING 1/4" MAY BE VERTICAL.
3. OBSTRUCTIONS OVERHANGING WALKWAYS SHALL BE AT LEAST 6" CLEAR ABOVE THE WALKWAY SURFACE. OBSTRUCTIONS SHALL NOT REDUCE THE WALK CLEAR WIDTH BY MORE THAN 12".
4. PARKING SPACES, ACCESS ANGLES, AND DRIVEWAYS SHALL PROVIDE A VERTICAL CLEARANCE OF 8' MINIMUM.
5. ALL ACCESSIBLE AREAS, PEDESTRIAN WALKS AND SIDEWALKS SHALL BE NON-SLIP SURFACES AND NOT ACCUMULATE WATER.

PROJECT
CONDITIONAL USE PERMIT
PACKAGE
FOR

PASO ROBLES
CARDROOM

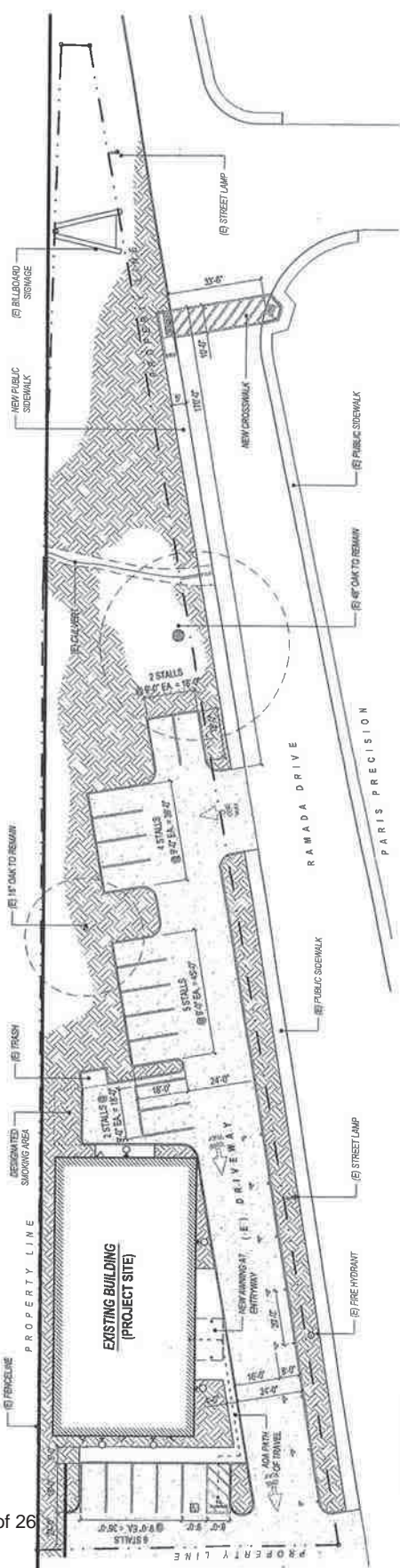
1649 RAMADA DRIVE
PASO ROBLES, CA 93346
APN: 009-681-016

NO.	DESCRIPTION	DATE
1	CLIP PACKAGE (DATE)	12-13-2017
2	CLIP PACKAGE (DATE)	12-13-2017
3	CLIP PACKAGE (DATE)	12-13-2017
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100	CLIP PACKAGE (DATE)	12-13-2017

SITE PLAN

14-701-01

A 1.0



35 STALLS TOTAL SHOWN. 80 STALLS OFF-SITE AVAILABLE.
SEE SHEET TS-1 FOR PARKING REQUIREMENTS. SHEET TS-0 FOR OFF-SITE PARKING.

PROPOSED PERSPECTIVES:

BUILDING RETAINS SAME CHARACTER, NO CHANGE TO LANDSCAPE.

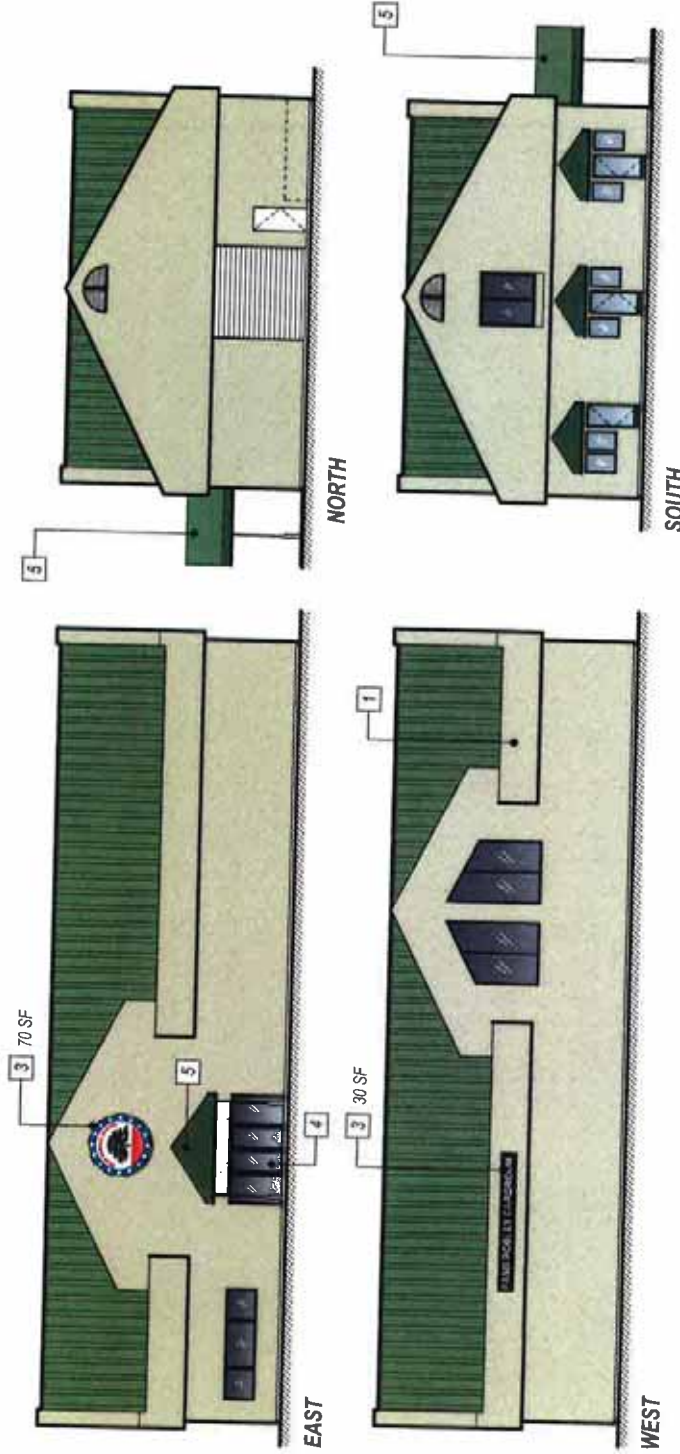


VIEW FROM SOUTH-EAST (RAMADA DRIVE)



VIEW FROM WEST (FREEWAY)

PROPOSED ELEVATIONS:



0 4 8 16 SCALE: 1/16" = 1'-0"

RECEIVED
 MAP 11/2015
 City of Paso Robles



MATERIALS:

- EXISTING STUCCO FINISH COLOR TO REMAIN
- EXISTING STANDING SEAM METAL ROOF TO REMAIN
- EXISTING AWNINGS TO REMAIN
- EXISTING ALUMINUM DOOR + WINDOW FRAMES TO REMAIN
- 3 NEW BACKLIT SIGNAGE, SIM. TO (E) SIGNAGE (SEPARATE PERMIT), 100 SF TOTAL ALLOWED PER PR MUNICIPAL CODE SECTION 21.19.040.B.
- 4 NEW STOREFRONT DOORS
- 5 NEW AWNING TO MATCH EXISTING AWNINGS

CONDITIONAL USE PERMIT FOR

PASO ROBLES CARDROOM
 1649 RAMADA DRIVE
 PASO ROBLES, CA 93446
 APN: 009-631-016

DATE: MARCH 12, 2015

PROPOSED



ARCHITECTS OFFICE
 LARRY GABRIEL ARCHITECTS
 1649 RAMADA DRIVE
 PASO ROBLES, CA 92446
 • T: 805.228.3820
 T: 805.228.1911
 www.lgarchitect.com
 lg@lgarchitect.com



CONSULTANT

PROJECT
 CONDITIONAL USE PERMIT
 PACKAGE
 FOR

PASO ROBLES
 CARDROOM

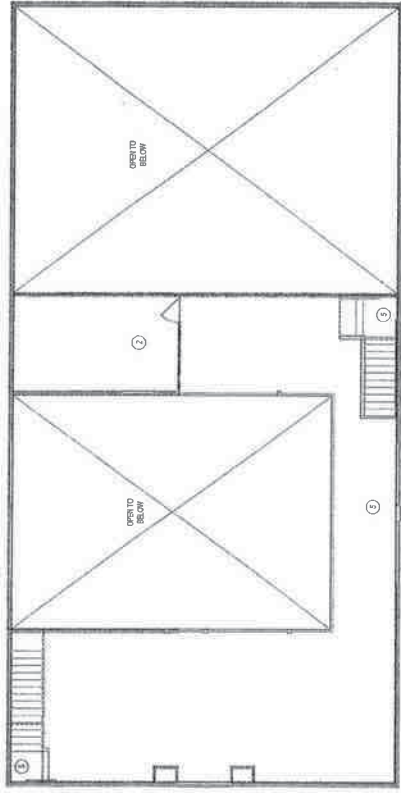
1649 RAMADA DRIVE
 PASO ROBLES, CA 92446
 APN: 009-031-016

DATE	DESCRIPTION
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09/19/2018	REVISED PER COMMENTS
09/26/2018	REVISED PER COMMENTS
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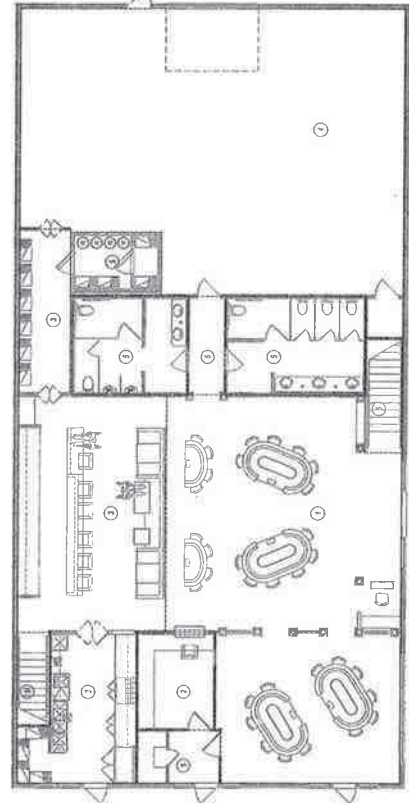
PERMITS
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 OCCUPANCY + EXITING,
 TOILET, PARKING
 REQUIREMENTS

14-070-01

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SECOND FLOOR



GROUND FLOOR

OVERALL PARKING REQUIREMENTS

SPACE	PARKING REQUIREMENT	PROVIDED
1	GAUING AREAS: 1 PERSON PER CHAIR, 1 RECLINER PER TABLE	32 PEOPLE / STALLS
2	OFFICE / SECURITY: 400 SF @ 3 STALLS PER 1,000 SF	6 PEOPLE / STALLS
3	KITCHEN / DINING: 500 SF @ 3 STALLS PER 1,000 SF	3 STALLS
4	WAREHOUSE: 1,075 SF @ 3 STALLS PER 1,000 SF	2 STALLS
5	STORAGE / CIRCULATION / RESTROOMS: 6 STALLS	6 STALLS
TOTAL PARKING REQUIRED:		45 STALLS REQUIRED
TOTAL PARKING PROVIDED:		45 STALLS ON SITE PER CLIENT / 10 OFF STALLS OFF SITE PER CLIENT / 55 STALLS PROVIDED



THE *Newspaper of the Central Coast*
TRIBUNE

3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

In The Superior Court of The State of California
In and for the County of San Luis Obispo
AFFIDAVIT OF PUBLICATION

AD # 1612629
CITY OF PASO ROBLES

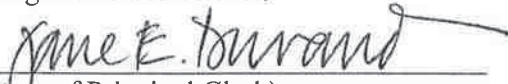
STATE OF CALIFORNIA

SS.

County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit; MARCH 13, 2015 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.



(Signature of Principal Clerk)

DATED: MARCH 13, 2015

AD COST: \$151.42

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING
CODE AMENDMENT 14-003
CONDITIONAL USE PERMIT 15-002

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, March 24, 2015, 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 making a recommendation to the City Council for the following applications:

- **Code Amendment 14-003:** a request filed by Don Ezzell on behalf of the Paso Robles Central Coast Casino, for a Code Amendment to allow Card Rooms subject to approval of a Conditional Use Permit, in the Manufacturing (M) zoning district.

- **Conditional Use Permit 15-002:** a request to establish a card room at 1649 Ramada Drive, including a lounge and restaurant at the same location.

These applications are Categorically Exempt from the California Environmental Quality Act (CEQA), per Section 15061 (b)(3) General Rule of the State's Guidelines to implement CEQA. Written comments on the proposed project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to sdecarli@prcity.com, 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 Susan DeCarli at (805) 237-3970.

If you challenge this 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.

Susan DeCarli
City Planner
March 13, 2015

1612629

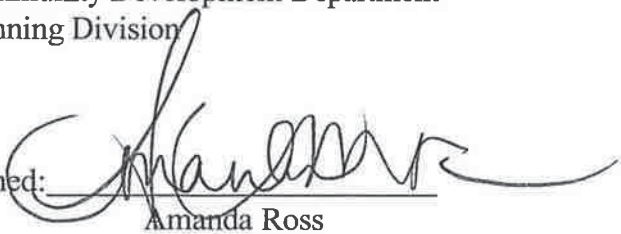
**AFFIDAVIT
OF MAIL NOTICES**

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Amanda Ross, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for the Code Amendment 14-003 & Conditional Use Permit 15-002 to allow Card Rooms subject to approval of a Conditional Use Permit, in the Manufacturing (M) zoning district and establish a card room with 6 card tables at 1649 Ramada Drive, including a lounge and restaurant at the same location on this 10th day of March, 2015.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____



Amanda Ross