

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: WARREN FRACE, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE PERMIT 16-001 FOR TAVERN USE, EARTH & FIRE BREWING COMPANY (APPLICANT: NICK VEGA) – 825 RIVERSIDE AVE, UNIT 1 APN: 009-157-005

DATE: MARCH 22, 2016

Needs: For the Planning Commission to consider a request by Nick Vega, to establish a tavern and brewery, located at 825 Riverside Ave, Unit 1 (APN: 009-157-005).

- Facts:
1. The site is located within the Riverside Corridor (RSC) zoning district in the Uptown/Town Center Specific Plan (see Vicinity Map, Attachment 1).
 2. Table 5.3-1 of the Uptown Town Centre Plan (Specific Plan) permits brewing activities, however the tavern component requires the approval of a Conditional Use Permit (CUP).
 3. As noted in the attached project description (Attachment 2), the facility proposes to brew and manufacture crafted beer with public access to the tavern limited to weekend hours. No food will be sold on site, and no dancing, live music, or amplified entertainment is proposed.
 4. The tavern will be located in the front of the building with brewery activities taking place in the rear. Three parking spaces are designated in the complex for use by Unit 1 patrons (See Attachment 3, Floor Plan).
 5. The applicant proposes the hours of operation for the tavern to be 2:00 pm to 10:00 pm, Friday - Sunday.
 6. 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 Conclusion:

The RCS zone allows for the establishment of tavern uses with the approval of a CUP. The CUP gives the Planning Commission the ability to require special conditions of approval to insure that a particular use is compatible with surrounding uses/businesses.

The unit is located in a commercial building complex with the majority of the units currently occupied. Other uses in the complex would generally not be open to the public during weekend hours. The proposed use is not requesting night club activities at this time.

The applicant is applying for this permit in order to establish a brewery with on-site beer sales, which falls under the "tavern" definition in the Specific Plan. Under the ABC License requirements, "tavern-like" activities are also permitted with a brewery. To meet Zoning requirements as it pertains to tavern-like activities, the applicant is applying for a CUP with the intention to brew beer and only open to the public on a limited basis.

There are three (3) parking spaces in the parking lot in front of the building currently available to the unit. These parking spaces meet the minimum parking requirements for this location.

Reference: Uptown Town Centre Specific Plan, City of Paso Robles Zoning Code and Land Use Element of the General Plan, Economic Strategy.

Fiscal Impact: None.

Options: After consideration of the staff report and public testimony, the Planning Commission may consider one of the following options:

1. Adopt the attached Resolution granting approval of the Conditional Use Permit 16-001, subject to findings, standard, site specific conditions of approval; or
2. Refer the item back to staff for additional analysis; or
3. Amend the above options; or
4. Deny the CUP based on specific findings.

Attachments:

1. Vicinity Map
2. Applicant's Project Description
3. Floor Plan
4. Resolution to Approve CUP 16-001
5. Public Notice Affidavits



**Attachment 1:
Vicinity Map**

Earth&fire Brewing Company Project Description

Earth&Fire Brewing Company (EFBC) is located at 825 Riverside Ave Ste. 1, Paso Robles CA. EFBC is a small beer manufacturer that will be brewing and manufacturing local hand crafted beers and distributing them to the local area. We will also have a taproom that will serve EFBC beers and possibly other breweries beer to customers. Owners Nick Vega, Nolan Mott, and/or any other person designated, will be on site for security and to verify the identification of those served alcohol are 21 or older. We will be open to the public from 2pm to 10pm Friday – Sunday for service to the public. Brewing and cellar operations will be possible 24/7 in the building, in which job duties will be performed by EFBC staff. The building we are occupying has only two doors both at the South East side of the building. There are no doors at the rear of the building and no other way into the building. Both doors are lighted for ease of access at night, and both have locks to secure them. We will not have any bands or loud music at this site. No food will be sold on site. Our water discharged will not contain high levels of solids. We will be a local community brewery making and distributing beer to our friends and family on the central coast.

RECEIVED
MAR 03 2016
City of Paso Robles
Community Development Dept.

Attachment 2:Project Description

RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 16-001
825 RIVERSIDE AVE, UNIT 1
(EARTH & FIRE BREWING COMPANY)
APN: 009-157-005

WHEREAS, Nick Vega on behalf of Earth & Fire Brewing Company, LLC, has requested the approval of a Conditional Use Permit (CUP), to establish a brewery and tavern within Unit 1 of the existing building located at 825 Riverside Ave; and

WHEREAS, Table 5.3-1, Permitted Land Uses and Permit Requirements, of the Uptown/Town Centre Specific Plan (UTCSP) permits Bars and Cocktail Lounges (which would include taverns) with the approval of a Conditional Use Permit (CUP); and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15332 of the State's Guidelines to Implement CEQA; and

WHEREAS, a public hearing was conducted by the Planning Commission on March 22, 2016, 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 makes the following findings:

1. The establishment, maintenance and operation for the requested use and building would be consistent with the adopted codes, policies, standards, and plans of the City, specifically the General Plan & Uptown/Town Centre Specific Plan; and
2. The proposed use is compatible with, and is not detrimental to, surrounding land uses and improvements by incorporating conditions of approval to manage impacts, the property meets the required parking standards, and the proposed use will be open to the public outside of normal business hours; and
3. The proposed use accommodates the plan-wide objectives of the Uptown/Town Centre Specific Plan by providing a wider range of land uses and amenities in the Riverside Avenue Corridor area; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve the amendment to Conditional Use Permit 16-001, 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:

Attachment 4:
Resolution Approving CUP 16-001

EXHIBIT	DESCRIPTION
A	Site Plan
B	Floor Plan

2. This conditional use permit (CUP) authorizes the establishment of a brewery with a 600 sq. ft. tavern type use to be conducted within the building at 825 Riverside Ave, Unit 1 as shown on Exhibit B.
3. Night club type entertainment, such as but not limited to live bands, amplified music and dancing are prohibited with this CUP.
4. Hours of operation for the tavern will be limited to 2:00pm to 10:00pm Friday - Sunday.
5. This CUP shall be reviewed by the Development Review Committee (DRC) after a 180-day period from the time the tavern activities have commenced, to determine whether any nuisance related to loitering or noise is being deterred/controlled. In the event it is determined during this review that a nuisance exists, and conditions of approval need to be added or modified, a public hearing will need to be scheduled with the Planning Commission.
6. All existing and new signage (including temporary signs) shall comply with the City Sign Ordinance.
7. All brewery activities, including the storage of beer and equipment, shall be done within the building.
8. Prior to issuance of the building permit for tenant improvements, the Riverside Avenue driveway approach shall be removed and replaced to the City's ADA compliant standards.
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.

PASSED AND ADOPTED THIS 22nd day of March, 2016 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

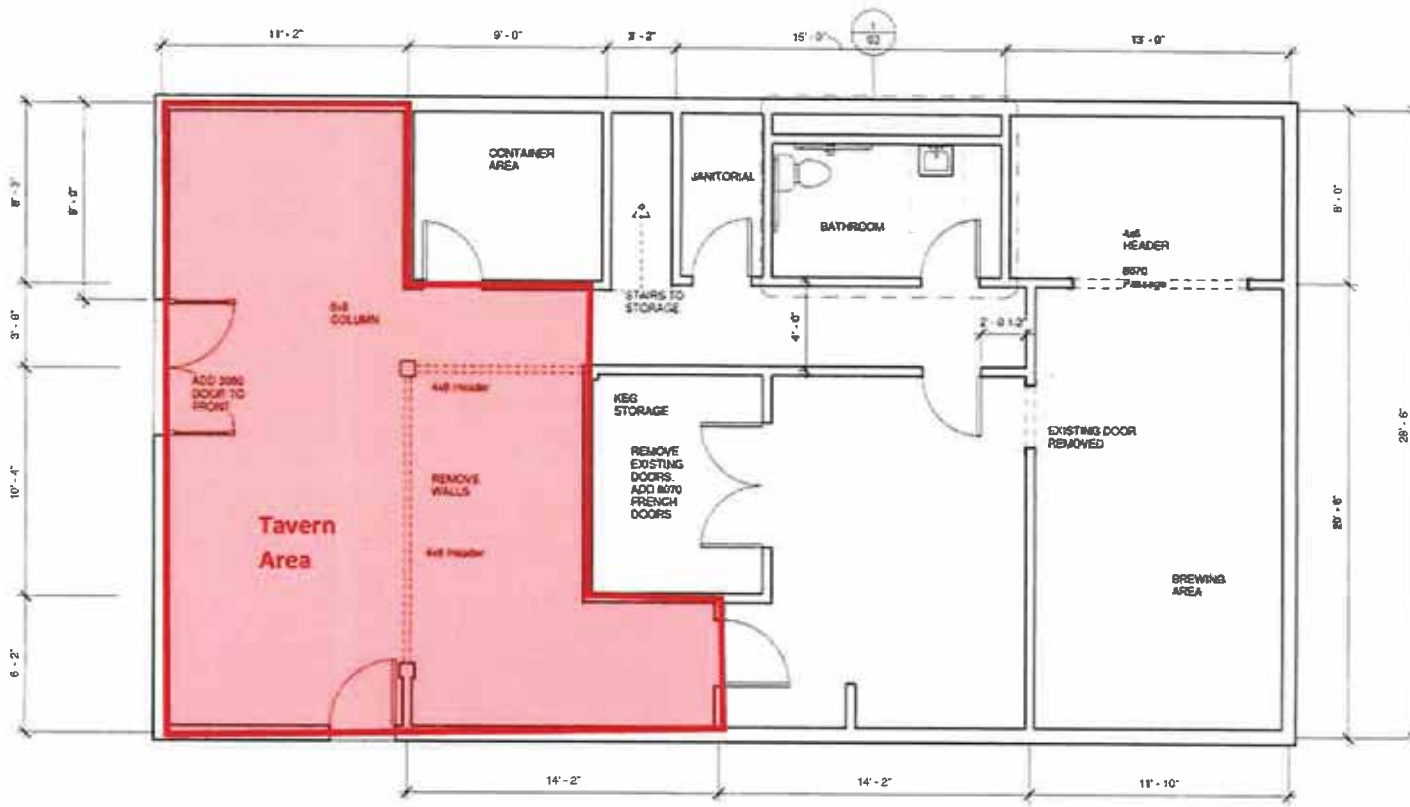
BOB ROLLINS, CHAIRMAN

ATTEST:

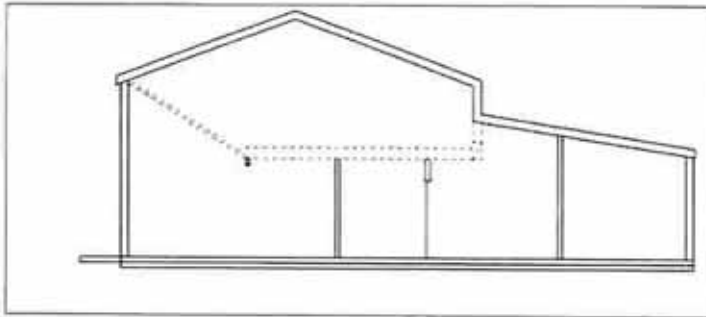
WARREN FRACE, SECRETARY OF THE PLANNING COMMISSION



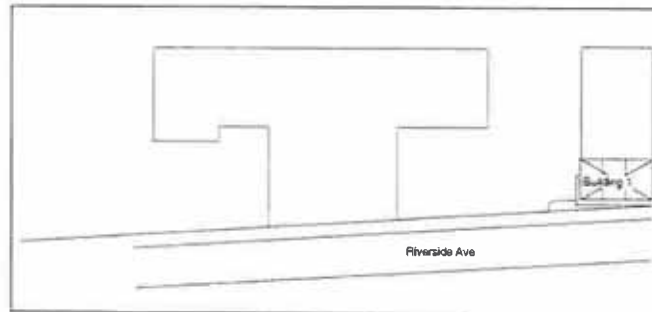
Exhibit A: Site Plan



① Level 1
1/4" = 1'-0"



② Section
1/8" = 1'-0"



③ Site
1/64" = 1'-0"

Earth And Fire

Brewery and Tasting Room

DOORS CENTERED IN WALL UNLESS OTHERWISE NOTED

DOORS WILL BE FIT WITH LEVER STYLE ADA COMPLIANT HARDWARE

SEE BATHROOM NOTES (03) FOR ADA COMPLIANCE

HEADERS TO BE INSTALLED WHERE DOORS ARE REMOVED

HEADERS AND COLUMN TO BE INSTALLED WHERE WALLS ARE REMOVED

NO CHANGES TO SITE ARE TO BE MADE

MUST COMPLY WITH 2013 CALIFORNIA BUILDING CODE

RECEIVED
 FTI 1 7 2016
 City of Paso Robles
 Community Development Dept.

No	Description	Date

Earth And Fire Brewing Company

REMODEL

Date: 2/8/2016
 Drawn by: KEN STENBERGER

Exhibit B: Floor Plan



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

AFFIDAVIT OF MAIL NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Monica Hollenbeck, 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 16-001 , on this 11th day of March, 2016.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: *Monica C Hollenbeck*
Monica Hollenbeck

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

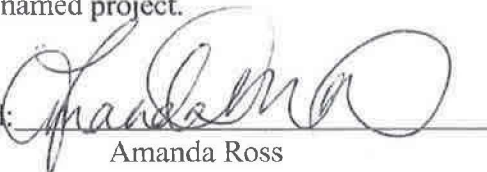
Newspaper: Tribune

Date of Publication: March 11, 2016

Meeting Date: March 22, 2016
(Planning Commission)

Project: Conditional Use Permit (CUP)
16-001: A request filed by Nick
Vega to establish a tavern and
brewery located at 825 Riverside
Ave, Unit 1.

I, Amanda Ross, 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: 
Amanda Ross

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, March 22, 2016, at 6:30 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 16-001): A request filed by Nick Vega to establish a tavern and brewery located at 825 Riverside Ave, Unit 1.

This application is Categorically Exempt from environmental review per Section 15332 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

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 93448 or emailed to planning@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 Darren Nash at (805) 237-3870 or by email at dnash@prcity.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.

Amanda Ross
Planning Intern
March 11, 2016 2319916

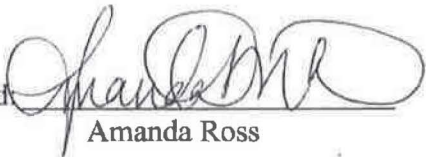
**Attachment 5:
News & Mail Notices**

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 Conditional Use Permit 16-001 a request to establish a tavern and brewery at 825 Riverside Ave, Unit 1, on this 9th day of March, 2016.

City of El Paso de Robles
Community Development Department
Planning Division

Signed


Amanda Ross