

RESOLUTION NO.: 01-077
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE PLANNED DEVELOPMENT 01-006
(APPLEBEES / MCDONALDS)
APN: 008-132-019, 021 & 025

WHEREAS, Planned Development 01-006 has been filed by George Garcia on behalf of Blacks Hatchery / Matt Masia for the development of a 2-phase commercial development where phase 1 would consist of removing the existing Black Oak Restaurant and building a new Applebee's and a new McDonalds restaurants, Phase 2 would consist of constructing a new 3-story - 80 room motel, and

WHEREAS, in conjunction with the development plan, Conditional Use Permit CUP 01-002 has been submitted that would propose to construct a new 60-foot high combination Applebee's and Motel Highway Sign and a 50 foot high McDonalds Highway Sign, and

WHEREAS, a public hearing was conducted by the Planning Commission on October 9, 2001, to consider the initial study prepared for this application, and to accept public testimony regarding this proposed environmental determination on the development plan, and

WHEREAS, a resolution was adopted by the Planning Commission approved a Negative Declaration status for this project, and a Negative Declaration was prepared for the proposed Planned Development application in accordance with the California Environmental Quality Act, and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby resolve, determine and order as follows, based upon the facts and analysis presented in the staff reports, and public testimony:

That the Planning Commission of the City of El Paso de Robles does hereby make the following findings:

1. That the proposed Planned Development is consistent with the goals and policies established by the general plan;
2. That the proposed Planned Development is consistent with the zoning code;
3. That the proposed Planned Development will be consistent with all other adopted codes, policies, standards and plans of the city;
4. That the proposed Planned Development will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the person residing or working in the neighborhood, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city;
5. That the proposed Planned Development accommodates the aesthetic quality of the city as a whole;

6. That the proposed Planned Development is compatible with, and is not detrimental to, surrounding land uses and improvements, provides appropriate visual appearance, and contributes to the mitigation of environmental and social impacts;
7. That the proposed Planned Development contributes to the orderly development of the city as a whole.
8. That the Planning Commission finds that since the properties are all owned by the same property owner with the properties on 24th Street (AM/PM), that Applebee's and McDonalds are oriented towards 24th Street and can use the south facing elevations to calculate building signage square footage.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby resolve, determine and order as follows, based upon the facts and analysis presented in the staff reports, and public testimony:

STANDARD CONDITIONS:

1. The applicant shall comply with all those conditions which are indicated on "Exhibit A" to this Resolution.
2. 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>
B	Development Plan
C	Preliminary Grading and Drainage Plan
D	Preliminary Landscape Plan
E	McDonalds Floor Plan
F	McDonalds Elevations (east and west)
G	McDonalds Elevations (north and south)
H	Applebee's Floor Plan
I	Applebee's Elevations (north, south and east)
J	Applebee's Elevations (west)
K	Preliminary Signage Program (Pole Signs)

*Large copies of plans are on file in the Community Development Department

SITE SPECIFIC CONDITIONS:

3. The approval of Planned Development 01-006 authorizes the development of a 2-phase commercial development where phase 1 would consist of removing the existing Black Oak Restaurant and building a new Applebee's and a new McDonalds restaurants, Phase 2 would consist of constructing a new 3-story - 80 room motel. Any changes to the development plan

and/or Conditional Use Permit that does not substantially conform to the above listed exhibits may require further design review and environmental analysis and could require amending PD 01-006 through the public hearing process.

4. The project shall comply with all conditions of approval in the resolution granting approval to Conditional Use Permit 01-002 and its exhibits.
5. The applicant shall obtain all relevant permits for the demolition of the existing buildings. Including any required by the Air Pollution Control District.
6. Prior to the issuance of a Building Permit for the hotel, the applicant shall submit a development application for a Site Plan (major) for review by the Development Review Committee.
7. McDonalds Corporation and/or the property owner shall maintain the landscape and building until the old McDonalds site is leased.
8. The trash enclosures for both restaurants shall be constructed to match the building materials and have adequate drainage facilities to capture liquids.
9. Prior to the occupancy of McDonalds or Applebee's, the applicant shall record reciprocal parking and access agreements between the two parcels. Agreements shall be recorded with the Hotel parcel as needed at the time of the construction of that phase.
10. Building mounted signage for Applebee's and McDonalds shall be calculated by using one square foot of sign per one linear foot of the building facing the street. As determined by the Planning Commission, applicants may use 24th Street as the street frontage. According to the proposed site plan each restaurant shall be allowed the following building mounted sign square footage:
 - McDonalds: 91 square foot max.
 - Applebee's: 88 square foot max.

With the approval of CUP 01-002, each restaurant may have one highway-oriented sign where the Applebee's sign would share space with the future hotel (See CUP 01-002 for sign specifics).

All signage will need to be submitted for review with the Development Review Committee.

11. All exposed retaining walls shall be constructed of decorative masonry (split-face, slump stone or stucco covered precision block).
12. All overhead utility lines shall be placed underground. The overhead lines on the hotel portion of the site would need to be underground at the time of that project.

EMERGENCY SERVICES CONDITIONS

13. A KNOX Box will be required for all buildings. Contact ES for more information.

14. Any building 5000 square feet or more requires the installation of an Automatic Fire Sprinkler System.
15. Both On and Off site fire hydrants will be required. Contact ES for location prior to submitting plans.

ENGINEERING SITE SPECIFIC CONDITIONS

16. The applicant shall submit a complete grading and drainage plan prepared by a registered civil engineer with the improvement plans. Drainage calculations shall be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer
17. If a restaurant user other than Applebee's is requested for the site, plans shall be submitted for a Site Plan Review to the Development Review Committee. Plans may be referred to the Planning Commission if the Committee concludes that it is necessary.

PASSED AND ADOPTED THIS 9th day of October 2001, by the following Roll Call Vote:

AYES: Nicklas, McCarthy, Warnke, Johnson, Steinbeck, Tascona, Calloway

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN RON JOHNSON

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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