

RESOLUTION NO.: 01-078  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 01-002  
(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, the project would be located on Black Oak Drive near 24<sup>th</sup> Street, between the AMPM/ARCO and the Carls Jr. restaurant, and

WHEREAS, the site is located within the Highway Oriented sign district, where Highway-Oriented signs are allowed with the approval of a Conditional Use Permit (Section 21.19.070.C.5), 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

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 or operation for the requested use or building applied for, will not, under the circumstances of the particular case, 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 01-002 subject to the following conditions:

**STANDARD 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>
B	Highway Oriented Sign Program

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

2. 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.
3. According to Section 21.19.C.3 the re-use of the existing pole sign is allowed as long as the change in text does not reflect a change in the nature of the business activity (a change in ownership, corporate logo, or signage design would be permitted). Any sign changes would need to be reviewed by the DRC.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

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CHAIRMAN RON JOHNSON

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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