

RESOLUTION NO.: 02-020

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE AN AMENDMENT TO
CONDITIONAL USE PERMIT 01-002
(MCDONALDS & FUTURE RESTAURANT / MOTEL)
APN: 008-132-019, 021 & 025

WHEREAS, in conjunction with approval of Planned Development 01-006, Conditional Use Permit CUP 01-002 was approved to construct a new 60-foot high combination Applebee's and Motel Highway Sign and a 50 foot high McDonalds highway-oriented pylon sign, and

WHEREAS, the applicant has submitted a request for an amendment to the Conditional Use Permit to change the approved highway-oriented sign for McDonald's by substituting an existing standard McDonald's pole sign for the custom design that was previously approved, and

WHEREAS, the existing pole sign at McDonald's located at 2805 Black Oak Drive would be refurbished and relocated to the new store location at 2715 Black Oak Drive and placed where the previously approved pylon sign was to be located, and

WHEREAS, no change to the highway-oriented sign approved for dual use by a future restaurant and motel is proposed, except to note that the future restaurant name is unknown at this time, and

WHEREAS, the project would be located on Black Oak Drive near 24th Street, between the AMPM/ARCO and the Carl's 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 Negative Declaration was prepared and adopted for the Planned Development and Conditional Use Permit application in accordance with the California Environmental Quality Act by the Planning Commission on October 9, 2001, and

WHEREAS, this amended project has been determined to be consistent with the previously adopted Negative Declaration, requiring no further environmental review, 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 an amendment to 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	Revised 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. Pursuant to submittal requirements and Standard Condition B-1 of Attachment A, prior to occupancy the applicant shall provide on a 3.5 inch disk or IBM-compatible CD a copy of all signed and stamped approved plans, exhibits, resolutions, and all submittal materials and other documentation pertaining to approval of this application for electronic archiving. The applicant may elect to have the City send out the documents for scanning at the applicant's expense.

PASSED AND ADOPTED THIS 9th day of April, 2002, by the following Roll Call Vote:

AYES: CALLOWAY, FERRAVANTI, JOHNSON, KEMPER, McCARTHY,
STEINBECK, WARNKE

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY