

RESOLUTION NO.: 03-092

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES,  
APPROVING CONDITIONAL USE PERMIT 02-020  
FOR THE ALEXA COURT RESTAURANT PROJECT  
(PACIFIC COAST HOTEL PROPERTIES I, LLC)  
APN: 009-831-016

WHEREAS, Planned Development 02-011 has been filed by S. Keith Belmont, Project Manager for Pacific Coast Hotel Properties I, LLC to construct an approximately 6,500 square foot, sit-down restaurant; and

WHEREAS, in conjunction with Planned Development 02-011, Conditional Use Permit 02-020 has been filed, seeking authorization to operate a restaurant in the C2 PD (Highway Commercial, Planned Development) Zoning District; and

WHEREAS, Section 21.13.030 of the Zoning Code which requires approval of a Conditional Use Permit for commercial use of C2 PD-zoned properties in the Theatre Drive area so as to ensure that land uses will not have a significant adverse effect on the economic vitality of the downtown as required by Ordinance 568 N.S.; and

WHEREAS, the approximately 1-acre project site is located at 201 Alexa Court at the southwestern corner of Route 46 West/Theater Drive intersection; and

WHEREAS, the General Plan Land Use Designation of this site is Regional Commercial (RC) and it is in the Highway Commercial, Planned Development Overlay Zoning District (C2, PD); and

WHEREAS, the Planned Development would establish the site plan, development standards, architectural theme, landscaping, and required infrastructure for the site; and

WHEREAS, the Conditional Use Permit would allow for operation of a restaurant if found not to have a significant adverse effect on the economic vitality of Downtown Paso Robles; and

WHEREAS, at its December 9, 2003 meeting, the Planning Commission held a duly noticed public hearing on the proposed Project, to accept public testimony on the proposal, including Conditional Use Permit 02-020, Planned Development 03-009 and environmental determination therefor; and

WHEREAS, a public hearing was conducted by the Planning Commission on December 9, 2003 to consider facts as presented in the staff report prepared for this project, and to accept public testimony on the proposed Alexa Court restaurant project; and

WHEREAS, based upon the facts and analysis presented, and public testimony received, the Planning Commission finds, subject to the conditions of approval set forth herein this Resolution, that:

1. The establishment, maintenance and operation of the proposed restaurant at 201 Alexa Court, will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of persons residing or working in the neighborhood of the proposed restaurant, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.
2. The proposed restaurant will not have significant adverse impacts on the economic vitality of the downtown, based on the fact that commercial storage uses would not have a significant impact on the economic vitality of the downtown based on the following:

- (a) Development and operation of a restaurant on this site is consistent with the City's Economic Strategy; and
- (b) Development and operation of a restaurant on this site at the northwest corner of Highway 46 West and Theatre Drive takes advantage of its accessibility to, and visibility from, Highway 101 and Highway 46 West; and
- (c) The restaurant will cater to area visitors and shoppers, thereby improving the Paso Robles market share of the San Luis Obispo County highway commercial tourism business and regional shoppers.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 02-020 subject to the following conditions:

**SITE SPECIFIC CONDITIONS**

1. The project shall comply with all conditions of approval in the resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the proposed restaurant and in the resolution granting approval to Planned Development 02-011 and its exhibits.
2. Approval of this Conditional Use Permit shall run concurrently with the Planned Development approval, and shall expire under the same conditions of that entitlement (2 years, with additional one year time extension increments permitted to be considered). However, once the project/site development is complete, the CUP will be vested and will run indefinitely in accordance with the Zoning Ordinance provisions (unless revoked by the City).
3. All on-site operations shall be in conformance with the City's performance standards contained in Section 21.21.040 (General Performance Standards Applicable to All Uses).
4. 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.

PASSED AND ADOPTED THIS 9<sup>th</sup> day of December, 2003 by the following roll call vote:

AYES: Flynn, Warnke, Ferravanti, Johnson, Steinbeck, Kemper  
 NOES: None  
 ABSENT: Calloway  
 ABSTAIN: None

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 CHAIRMAN RON JOHNSON

ATTEST:

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 ROBERT A. LATA, PLANNING COMMISSION SECRETARY