

RESOLUTION NO. 11-020

**A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
APPROVING CONDITIONAL USE PERMIT 11-004
3700 MILL ROAD, APN 025-701-003
APPLICANT – VINA ROBLES, INC.**

WHEREAS, Conditional Use Permit (CUP) 11-004 has been filed by Vina Robles, Inc.; and

WHEREAS, CUP 11-004 is a proposal to establish a 60-room hotel, 10 duplex-bungalow lodging units, and a 3,300 seat outdoor amphitheater and ancillary buildings; and

WHEREAS, the project is consistent with the General Plan land use designation and Zoning of Parks and Open Space (POS) and the Paso Robles Airport Land Use Plan, Airport Overlay – Zone 5, 2006 Economic Strategy, and the Gateway Design Standards; and

WHEREAS, a Planned Development Amendment (PD 02-002) has been filed in conjunction with this CUP; and

WHEREAS, the Planning Commission held a duly noticed public hearings on July 26, 2011 and August 9, 2011 on this project to accept public testimony on CUP 11-004 and PD Amendment 02-002, and associated entitlements; and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received the Planning Commission finds it acceptable to establish a 60-room hotel, 10 duplex-bungalow lodging units, and a 3,300 seat outdoor amphitheater and ancillary buildings at the proposed location.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 11-004, subject to the following conditions:

STANDARD CONDTIONS

1. The project shall be operated in substantial conformance with the following conditions established in this resolution:
2. 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.
3. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
4. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
5. Use and operation of the business and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).

SITE SPECIFIC CONDITONS

6. The applicant shall prepare and implement a parking and traffic management plan to control and guide event related traffic entering and exiting the site on Mill Road, in accordance with Exhibit A. Said parking and traffic management plans shall be submitted to the Community Development Director for approval prior to occupancy of the amphitheater. The applicant shall post temporary traffic management signs on Mill Road to discourage drivers exiting the site from turning right onto the eastbound Highway 46 East for the purpose of making U-turns further to the east in order to head westbound on Highway 46 East.
7. The applicant shall submit an event security and safety plan, identifying staff security and safety procedures, training requirements, number of security staff and their positions for concert events to be approved by the Police Department and Emergency Services Department.
8. No pyrotechnics or light show activities shall be cast higher than 500 feet above the amphitheater stage. All parking lot, site and building lighting shall be downcast and shielded in compliance with the City's Zoning Ordinance.
9. The applicant shall comply with all applicable noise and nuisance regulations, including the General Plan Noise Element standards and the Municipal Code.
10. The applicant shall be limited to no more than 50 concert events per year. The air pollution emissions modeling was based on an assumption of 10 "capacity" events (3,300 attendees) and 40 average (1,750 attendees) events per year, therefore the impact mitigation fees were based on these assumptions. If the applicant holds more than 10 capacity events per year, the applicant will need to quantify additional air pollution emissions and coordinate with APCD to pay additional air pollution impact mitigation fees.
11. Concerts shall conclude no later than 12:00 a.m.
12. The applicant shall submit a Transportation Demand Management (TDM) Plan that includes an event shuttle program with local hotels to reduce the number of vehicles traveling to the site. The TDM Plan shall be approved by the Community Development Director prior to issuance of certificate of occupancy for the amphitheater.
13. The applicant shall not have staff or traffic control devices, signs or fixtures encroach into the Caltrans right-of-way.
14. If the City receives complaints or is made aware of operational problems resulting from the amphitheater use, the Planning Commission shall reconsider this CUP with the purpose of developing solutions to address issues that may arise.

PASSED AND ADOPTED THIS 9th day of August, 2011 by the following Roll Call Vote:

AYES: Commissioners Garcia, Holstine, Barth, Peterson and Chair Gregory
NOES: None
ABSENT: Commissioners Vanderlip and Tretch
ABSTAIN: None



CHAIRMAN STEVE GREGORY

ATTEST:



ED GALLAGHER, PLANNING COMMISSION SECRETARY

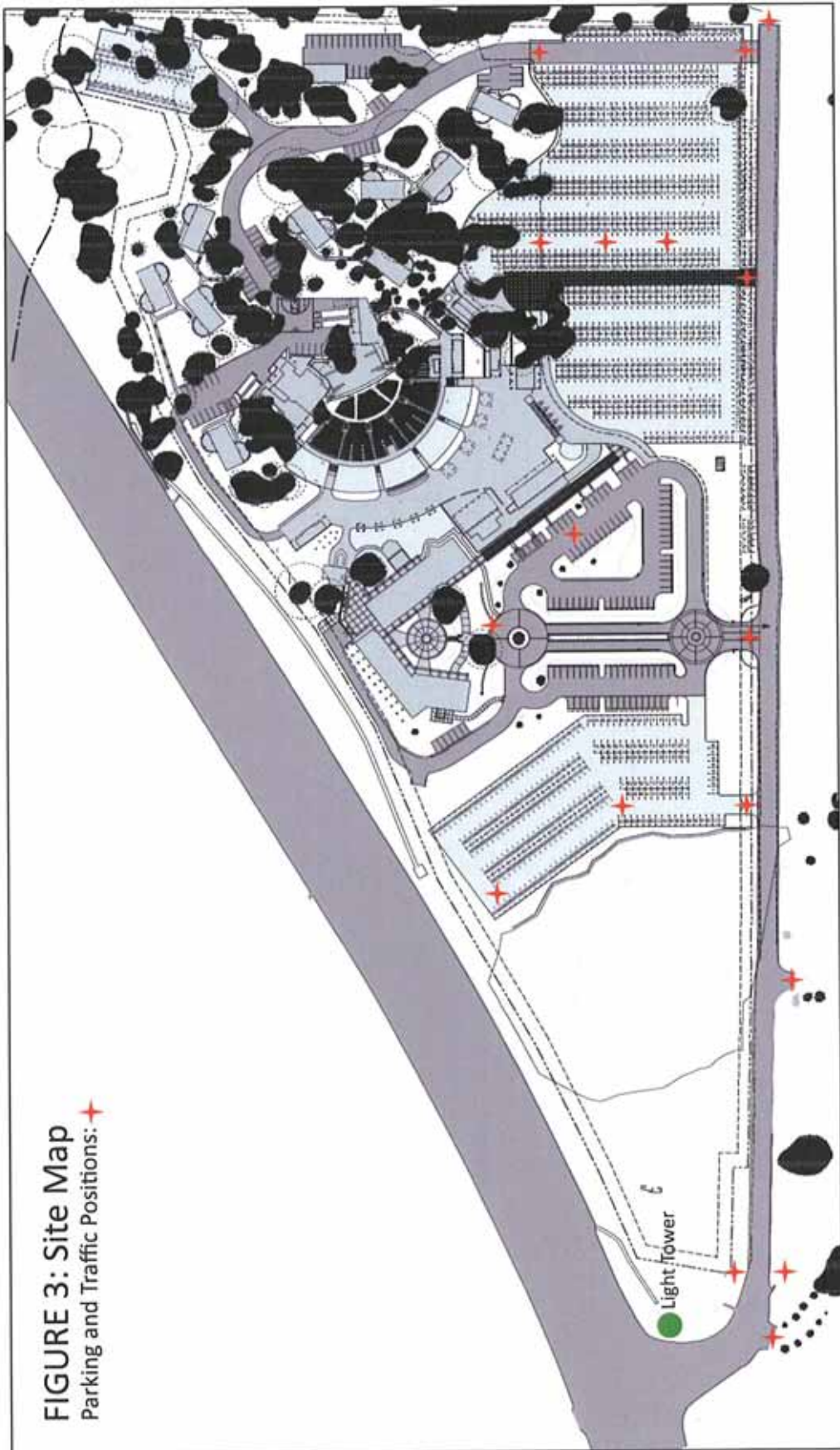
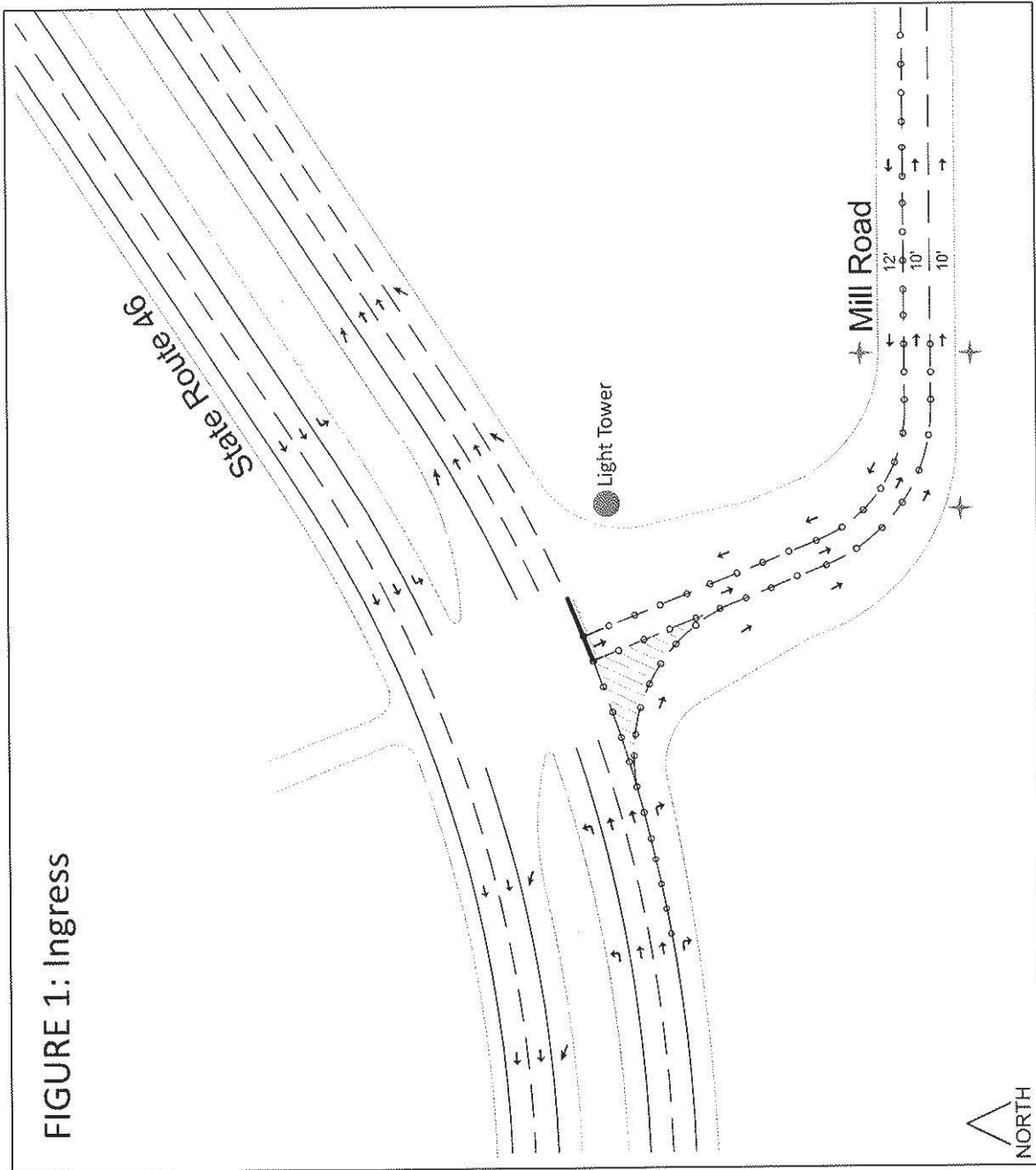


FIGURE 3: Site Map
Parking and Traffic Positions: +

FIGURE 1: Ingress



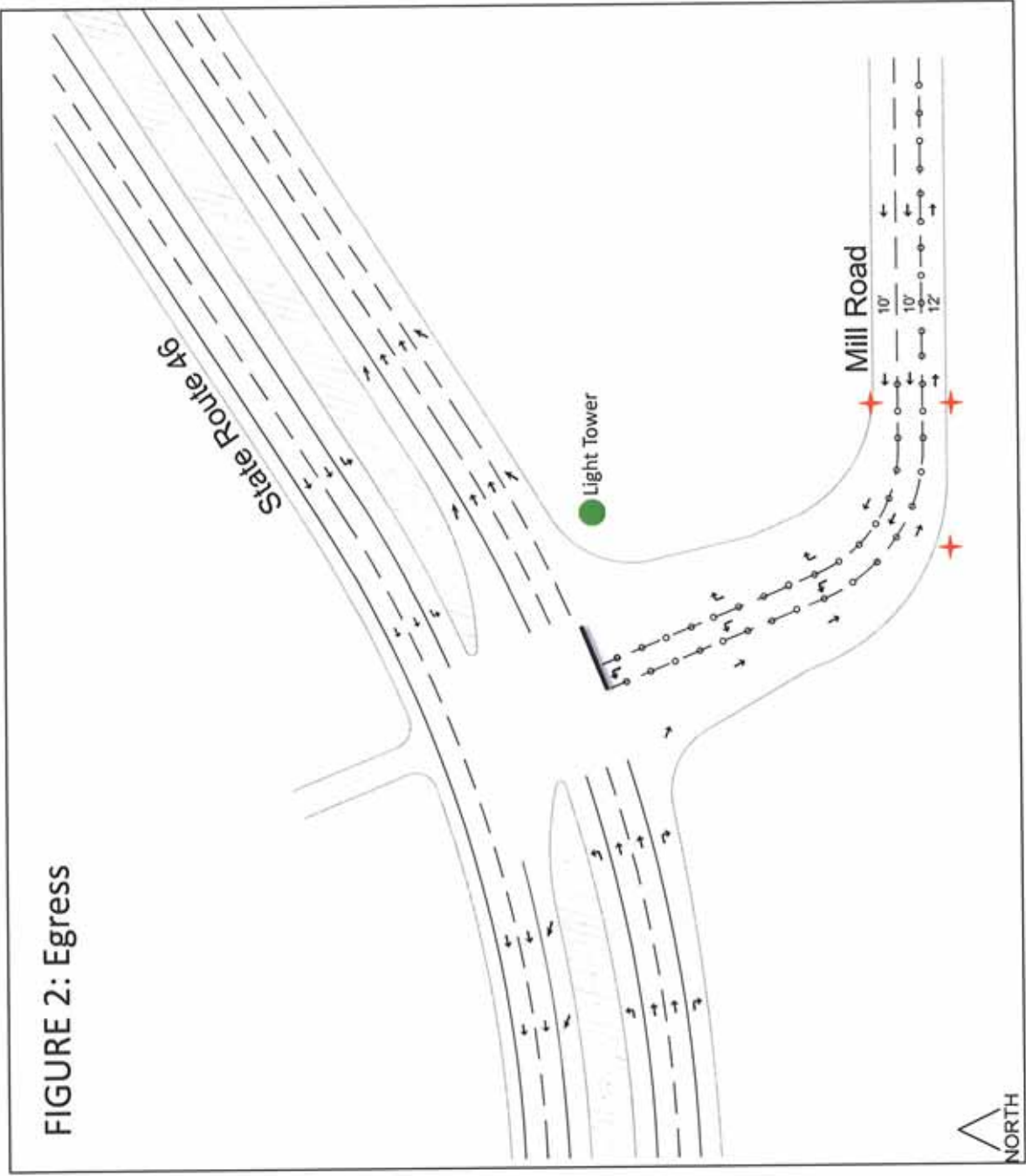


FIGURE 2: Egress