

RESOLUTION NO. 15-009

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF PASO ROBLES
TO APPROVE CONDITIONAL USE PERMIT 14-014
AT 2244 SPRING STREET
(LUCKY LUKE'S FOODS, INC.)
APN: 008-165-011

WHEREAS, Code Amendment 14-003 is in process to amend Table 5.3-1 Allowed Land Uses within the Uptown Town Center Specific Plan, to expand the area in the TC-2 zoning district that allows drive-through restaurants, along Spring Street between 22nd and 23rd Streets, subject to the approval of a Conditional Use Permit (CUP); and

WHEREAS, concurrent with Code Amendment 14-003, Lucky Luke's Foods, Inc., has filed a CUP application to establish a drive-through restaurant at 2244 Spring Street; and

WHEREAS, CUP 14-014 could not be established until the City Council has adopted an Ordinance approving Code Amendment 14-003; and

WHEREAS, this application is categorically exempt from environmental review per Section 15301 (existing building) of the State's Guidelines to Implement CEQA; and

WHEREAS, at a meeting held on April 28, 2015, the Planning Commission took the following actions regarding this CUP request:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Held a public hearing to obtain public testimony on the proposed CUP;
- c. Recommended that the City Council approve the proposed CUP; 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 City Council finds that the establishment, maintenance and operation for the requested use and building would be consistent with the General Plan and not 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; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby recommend approval of Conditional Use Permit 14-014, subject to the following conditions:

1. This Conditional Use Permit (CUP) authorizes a drive-through restaurant to be established at 2244 Spring Street, subject to the City Council approving Code Amendment 14-003, and said code amendment becoming effective (31 days following second reading of the ordinance).
2. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

EXHIBIT	DESCRIPTION
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A	Site Plan
B	Elevations
C	Sign Plans

3. Prior to the issuance of a building permit, the Development Review Committee (DRC) shall review the following items to insure substantial compliance with the above listed Exhibits:
 - Architectural elevations, including final materials, colors and details as described in Exhibit B of this resolution;
 - Exterior light cut sheets for building mounted and any parking lot lighting;
 - Awnings, including colors and materials and mounting system;
 - Equipment such as back flow devices, transformers, a/c condensers and appropriate screening methods for both views and noise;
 - Roof equipment plan and verification that all equipment will be screened by building parapet;
4. Wall mounted signage shall be solid individual halo-lit letters, with a three dimensional routed logo sign, consistent with Exhibit C to this resolution. The signs plans including any on-site directional signs shall be reviewed and approved by the Development Review Committee.
5. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Conditional Use Permit process, shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
6. 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.
7. Prior to occupancy of the restaurant, Spring Street sidewalk and the new driveway approach shall be improved to City standards and ADA compliance.
8. Prior to occupancy of the restaurant, the 23rd Street frontage shall be improved with curb, gutter and sidewalk in accordance with plans approved by the City Engineer.
9. Cueing related to the drive-through lane shall not obstruct the public sidewalk or impede traffic on 23rd Street. Signage shall be placed at the entrance to the drive through lane that gives notice to drive through users these rules. Final sign language shall be approved by the Police Chief and City Engineer.

PASSED AND ADOPTED by the Planning Commission of the City of Paso Robles this 28th day of April 2015 by the following vote:

AYES: Rollins, Burgett, Barth, Donaldson, Vanderlip

NOES: Cooper

ABSTAIN: None

ABSENT: Brennan

ATTEST:

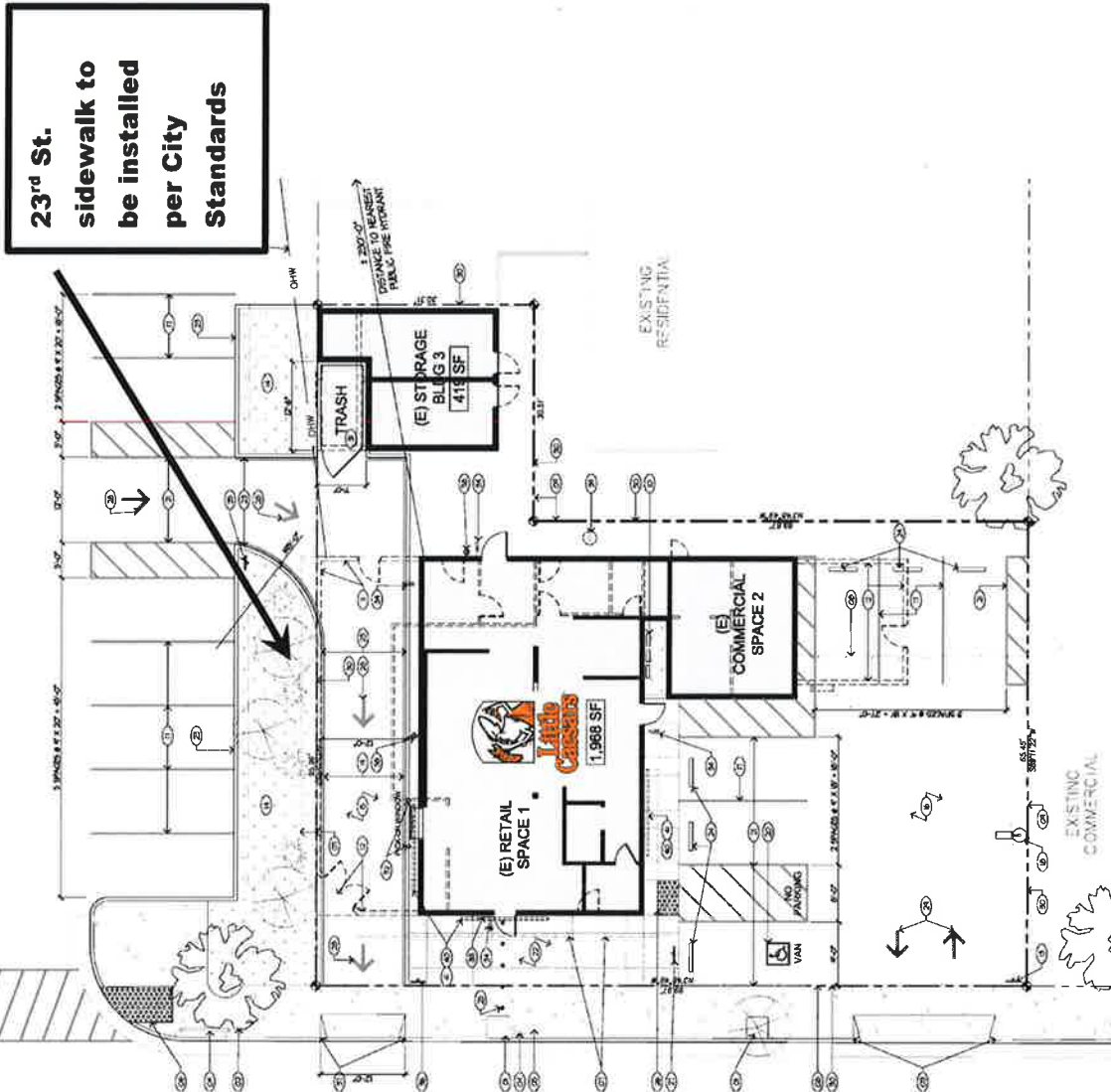


Warren Frace, Planning Commission Secretary

Vince Vanderlip, Chairman

SITE PLAN KEYNOTES

- | NO. | DESCRIPTION |
|-----|--|
| 1 | INVESTIGATIONS BELTHERN PREPARED TO INSURE ON THE SHEET ONLY |
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| 3 | SI, 180 TO REMAIN |
| 4 | SI, 27 W/ ONE DRIVE APPROACH TO REMAIN |
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1 SITE PLAN

Exhibit A
Site Plan
Specific Plan Amendment 14-003 / CUP 14-014
(Lucky Luke's, Inc.)

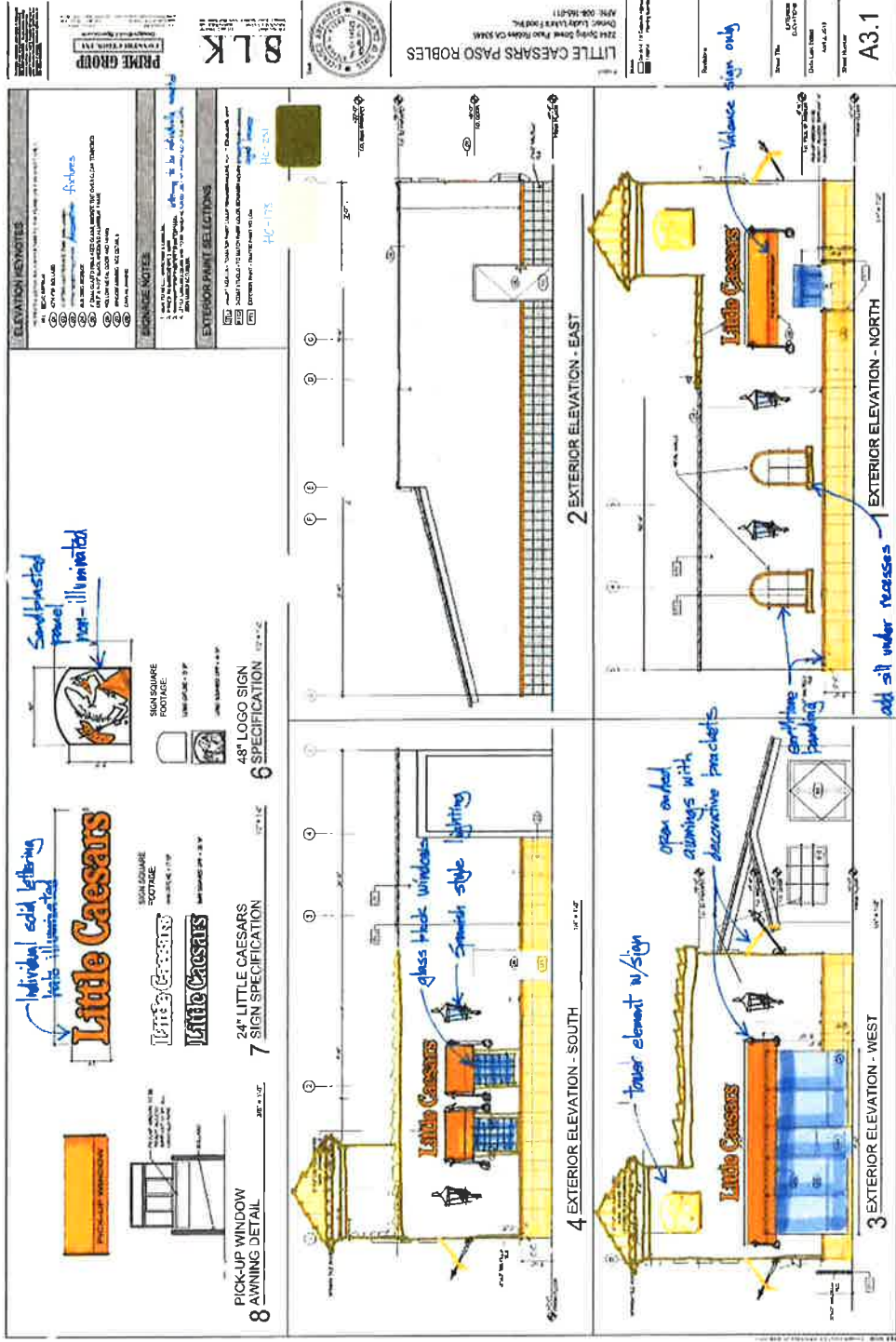
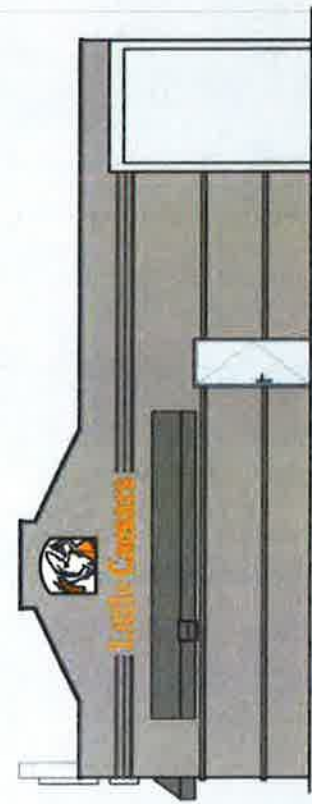
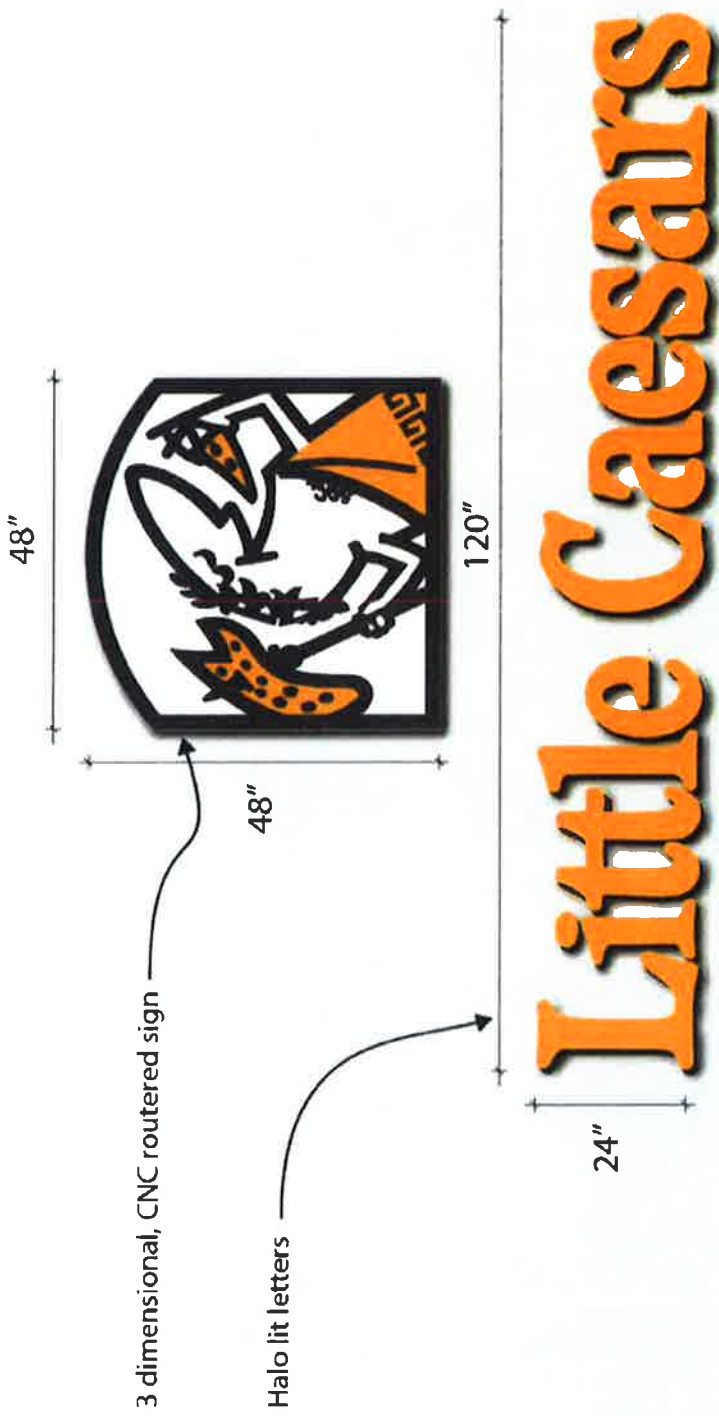


Exhibit B
 DRC Recommended Arch. Elevations
 (Lucky Lukes, Inc.)



EXTERIOR ELEVATION - SOUTH



3250 EI Ca

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Exhibit C
Sign Criteria
Specific Plan Amendment 14-003
CUP 14-014
(Lucky Luke's, inc.)

CA. 93422 P-805.466.7579
ions. Errors on approved proofs are
begin upon your approval of this proof.