

RESOLUTION NO: 15-015

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE AMENDMENT TO CONDITIONAL USE PERMIT 11-012
(THE POUR HOUSE)
APN: 009-261-010

WHEREAS, Shawn Copen has submitted a request to amend to Conditional Use Permit (CUP) 11-012, to permit entertainment including amplified music, consisting of live music, bands, DJs, and dancing (collectively, "Nightclub Activities") in addition to the established tavern and brewery located at 525 Pine St, Ste. A; and

WHEREAS, Table 5.3-1, Permitted Land Uses and Permit Requirements, of the Uptown/Town Centre Specific Plan (UTCSP) permits Bars and Cocktail Lounges (with dancing and live, amplified entertainment) with the approval of a Conditional Use Permit (CUP); and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15332 of the State's Guidelines to Implement CEQA; and

WHEREAS, a public hearing was conducted by the Planning Commission on July 28, 2015, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this conditional use permit amendment request; 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 makes the following findings:

1. The establishment, maintenance and operation for the requested use and building would be consistent with the adopted codes, policies, standards, and plans of the City, specifically the General Plan & Uptown/Town Centre Specific Plan; and
2. The proposed use will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the vicinity of such proposed use, or be injurious or detrimental to property and improvements in the area or to the general welfare of the City since the business will provide for adequate security, such as lighting, surveillance cameras, security personnel and comply with noise regulations; and
3. The proposed use is compatible with, and is not detrimental to, surrounding land uses and improvements by incorporating conditions of approval to manage safety and noise related impacts, and the property meets the required parking standards; and
4. The proposed use accommodates the plan-wide objectives of the Uptown/Town Centre Specific Plan by providing a wider range of land uses and amenities in the area south of downtown; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve the amendment to Conditional Use Permit 11-012, subject to Exhibit A and the following conditions:

1. This conditional use permit (CUP) authorizes the use of entertainment including amplified music which would include live music, bands, DJs and dancing (collectively, the "Nightclub Activities") as an accessory to the Tavern use. All Tavern and Nightclub Activities shall be conducted indoors and shall end no later than 1:00AM. See attached Exhibit A, Floor Plan.
2. Any condition imposed by the City Council or 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. Designated in-house or contracted private security guards are to be onsite during the hours of operation when nightclub activities are occurring. A minimum of two identifiable security staff shall be employed by the business owner and shall stay on duty until 1 hour after the business has closed to help control loitering within and outside the business.
4. Interior and exterior surveillance cameras shall be in place to record activities in areas open to the public and patrons. The recorded activities shall be saved for seven (7) days and available to the Police Department for investigations related to criminal activity. The location and number of cameras shall be mutually agreed upon by the both the Police Department and business owner.
5. Prior to the installation of any exterior lighting, lighting plans shall be submitted for review and approval by the Police Chief and the Planning Department. Any new and existing exterior lighting shall be fully shielded.
6. Noise from the night club activities of the establishment shall not exceed the following noise exposure thresholds as measured at the property line of the nearest sensitive receptor (or complaining land use):
 - 70db for residential and transient lodging uses
 - 77db for general office and commercial uses
7. All existing and new signage (including temporary signs) shall comply with the City Sign Ordinance.

8. A security training plan for employees and security measures shall be prepared and approved by the Community Development Director and the Police Chief. The business owner shall be responsible for on-going training to accommodate changes in personnel.
9. Prior to the commencement of the entertainment activities, all applicable Departments (including Building, Fire, Police & Planning) shall insure that all of the conditions of approval listed in this resolution have been satisfied to the satisfaction of each department representative.
10. Receptacles for cigarette butts and trash shall be provided outside the business entrance to provide for cigarette butts and trash for people associated with this establishment. The areas shall be cleaned and maintained on a daily basis.

PASSED AND ADOPTED THIS 28th day of JULY, 2015 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:


WARREN FRACE, SECRETARY OF THE PLANNING COMMISSION


VINCE VANDERLIP, CHAIRMAN

Exhibit A
Floor Plan – Total SF 2,160



Phase 2 – Nightclub activity area
(1,853 SF)



**Phase 1 – Nightclub activity area
(917 SF)**

THE POUR HOUSE
525 PINE STREET
PASO ROBLES, CA 93446

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• ARCHITECTURE •
• GRAPHICS •
• DESIGN •

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Floor Plan

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