

RESOLUTION NO.: 03-080
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 00-021
(MCDONALDS/CHEVRON - POLE SIGN)

APN: 009-631-10

WHEREAS, the City's zoning code allows the establishment of a highway oriented pole sign in the geographic region surrounding the Highway 101 and Highway 46 West corridor subject to obtaining a Conditional Use Permit, and

WHEREAS, McDonalds Corporation has filed Conditional Use Permit 00-021 to install a 60 foot high pole sign to identify their restaurant, convenience store and gasoline facility business located at the northwest corner of Ramada Drive and Highway 46 West, and

WHEREAS, the zoning code establishes a maximum height of highway oriented pole signs in this geographic area of 35 feet above the elevation of Highway 101, and

WHEREAS, the applicant has not yet provided topographical/elevation data to support the establishment of a 60 foot tall sign (within the 35 foot limitation from freeway height standard), but the adjacent approved pylon sign on property directly to the east was limited to a 55 foot height maximum, and

WHEREAS, the ordinance established a minimum site area for the installation of pole signs of 1 acre, unless the sign is approved as part of a comprehensive sign program for a multi-use center, under which the city may approve pole signs for smaller parcels, and

WHEREAS, the combined site area of the McDonalds and Chevron project is 1.75 acres after the sites are legally combined as required to be accomplished under PD 00-020, and

WHEREAS, a public hearing was conducted by the Planning Commission on October 28, 2003, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this project and sign proposal, and

WHEREAS, based upon the facts and analysis presented, and public testimony received, the Planning Commission finds that, subject to the conditions of approval listed below, that the establishment, maintenance and operation for the requested use 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, and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 00-021 subject to the following conditions:

SITE SPECIFIC CONDITIONS

1. The subject sign shall be constructed so as to substantially conform with the attached Exhibits:
 - A Site Plan (Pole Sign Location)
 - B Pole Sign Elevations (with modified height and size parameters per this resolution)
2. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 00-020 and its exhibits.
3. Conditional Use Permit 00-021 would allow the use of one pole sign 35 feet above Highway 101, but not to exceed 55 feet in height, with a sign area that does not exceed 100 square feet each in area for the two anchor users on this parcel. A 24 square foot illuminated reader board for gasoline pricing may be placed on the same pole. The reader board may not have an electronic message.
4. A potential third future user shall be reserved for a highway oriented business only, and the third “user can” shall not be installed until such time that a user is proposed and determined by the DRC as being consistent with highway oriented use goals. The DRC shall have the authority to both limit the size of the third user to a smaller sign than McDonalds and Chevron, and to refer the matter up to the full Planning Commission in the case of uncertainty of the consistency of the user with the highway oriented purpose and intent. The third user may be used by an off-site tenant, limited only to the original five parcels of PR 98-199.
5. In the event of a change of business at this location, the new business may only propose re-use of the pole sign if it can be determined that the nature of the business meets the intent of the

highway-oriented sign district for being related to the traveling and/or freeway customer, or serving a regional need. The DRC must make such a finding in conjunction with a review and consideration of sign face change.

6. The sign shall be located so that no portions extend beyond property line.
7. This use permit approval shall expire on October 28, 2005 unless a time extension request is filed with the Community Development Department prior to expiration. Once the use permit has been exercised (sign installed for the two main tenants) the use permit shall be an on-going entitlement of the property, provided all conditions of approval are met as established through this resolution.
8. Any site specific condition imposed by the Planning Commission in approving this project (sign) 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 28th day of October, 2003 by the following roll call vote:

AYES: Flynn, Warnke, Ferravanti, Johnson, Steinbeck, Calloway, Kemper

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN RON JOHNSON

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

darren/pd/MdDonaldsRamada/CUP Res