

RESOLUTION NO: 07-0039

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO DENY CONDITIONAL USE PERMIT 06-008  
(Brent Flynn – Taco Bell)  
APN: 008-135-020

WHEREAS, Vincent & Murphy Inc. on behalf of Brent Flynn, has submitted an application for CUP 06-008 requesting to construct a 50-foot tall Highway Oriented pole sign at the existing Taco Bell restaurant located at 1107 24<sup>th</sup> Street; and

WHEREAS, according to Section 21.19.040.H, Sign Ordinance, Highway Oriented Signs are permitted in this geographic area of the City subject to the approval of a Conditional Use Permit; and

WHEREAS, the request for the new pole sign is in conjunction with the construction of a new Taco Bell restaurant (see Site Plan 06-017); and

WHEREAS, a public hearing was conducted by the Planning Commission on February 27, 2007, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this Conditional Use Permit request; and

WHEREAS, at the hearing on February 27, 2007, the Commission had a 3-3 vote, and continued this item to March 13, 2007 hearing; and

WHEREAS, at the hearing on March 13, 2007, the applicant requested that the item be continued to the March 27, 2007 meeting, since there were only 6 Commissioners present; and

WHEREAS, the Commission did continue the meeting to the March 27, 2007 Planning Commission hearing; and

WHEREAS, a public hearing was conducted by the Planning Commission on March 27, 2007, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this Conditional Use Permit request; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15301c of the State's Guidelines to Implement CEQA; and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions of approval listed below, the Planning Commission makes the following findings:

- a. that the site is not visible from Highway 101 where a highway oriented sign would be effective, it is not the intent that every business in this geographic area of the City have a highway oriented sign visible from Highway 101;
- b. that the highway oriented sign would create sign clutter at this gateway to the City;
- c. that the proposed building mounted signage and a monument sign (not to exceed 6-feet in height) would be sufficient signage for the site.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby deny Conditional Use Permit 06-008.

PASSED AND ADOPTED THIS 27<sup>th</sup> day of March 2007, by the following roll call vote:

AYES: Withers, Menath, Steinbeck, Flynn, Trench

NOES: Johnson, Holstine

ABSENT: None

ABSTAIN: None

---

CHAIRMAN MARGARET HOLSTINE

ATTEST:

---

RON WHISENAND, PLANNING COMMISSION SECRETARY