

ORDINANCE NO. 1015 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE UPTOWN/TOWN CENTER SPECIFIC PLAN
(SPECIFIC PLAN AMENDMENT 14-003 – LUCKY LUKE’S FOODS INC)

WHEREAS, an application has been filed by Lucky Luke’s Foods Inc. requesting to amend Table 5.3-1 of the Uptown Town Centre Specific Plan (Specific Plan) to allow drive-through restaurants in the TC-2 zone with the approval of a Conditional Use Permit; and

WHEREAS, Lucky Luke’s Foods, Inc. owns the property at the southeast corner of Spring Street and 23rd Street (2244 Spring Street), and has plans submitted to the City for the renovation of the existing building into a drive-through take-out restaurant for Little Caesar’s Pizza; and

WHEREAS, Table 5.3-1 of the Uptown Town Centre Plan (Specific Plan), does not allow drive-through restaurants in the TC-2 zoning district, except for the properties in the TC-2 zone between 23rd Street and 26th Street with the approval of a Conditional Use Permit; and

WHEREAS, the request by the applicant is to amend Table 5.3-1 to allow drive-through restaurants in the TC-2 zone, to include 008-165-011 with approval of a Conditional Use Permit (CUP); and

WHEREAS, on March 17, 2015, the City Council reviewed the Specific Plan Amendment request and on a 5-0 vote directed Staff to prepare an amendment to the Uptown Town Centre Specific Plan for review by the Planning Commission, that would expand the boundaries where a drive-through restaurant may be conditionally permitted to include properties on Spring Street to 22nd Street, and include the alleys to the east and west of Spring Street; and

WHEREAS, this application is categorically exempt from environmental review per Section 15061(b)(3) (General Rule) 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 ordinance:

- 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 ordinance;
- c. Recommended that the City Council approve the proposed ordinance; and

WHEREAS, based on information received at its meeting on May 19, 2015 the City Council took the following actions regarding this ordinance:

- 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 ordinance;
- c. Considered the Planning Commission’s recommendation from its April 28, 2015 public meeting;
- d. Introduced said ordinance for the first reading; and

NOW, THEREFORE, the City Council of the City of El Paso de Robles recommends as follows:

SECTION 1: Findings: that the approval of Specific Plan Amendment 14-003, subject to the following findings:

- a. The addition of drive-through restaurants along Spring Street between 22nd and 23rd would meet the intent of the Uptown Town Centre Specific Plan because there are similar uses in the area, they would be compatible with the character of the area, and would facilitate reinvestment in underutilized property;
- b. The drive-through restaurants would provide a use to nearby residents, schools, and regional travelers coming into town from 24th Street.

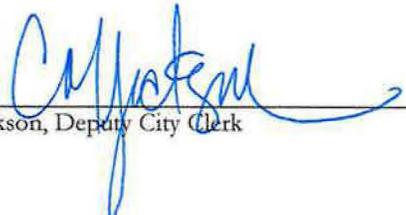
SECTION 2: Amendments. The Uptown Town Centre Specific Plan shall be amended consistent with Exhibit A and B.

Introduced at a regular meeting of the City Council held on May 19, 2015, and passed and adopted by the City Council of the City of El Paso de Robles on the 2nd day of June, 2015 by the following vote:

AYES: Strong, Hamon, Gregory, Reed, Martin
NOES:
ABSENT:
ABSTAIN:



Steven W. Martin, Mayor

ATTEST: 

Caryn Jackson, Deputy City Clerk

| Table 5.3-1 Allowed Land Uses and Permit Requirements | | PERMIT REQUIRED BY ZONE | | | | | | | | | | | Specific Use Regulations |
|---|--|-------------------------|------|------|------|-------|------|------|-----|----|--|--|---|
| | | Land Use Type | | | | | | | | | | | |
| Land Use Type | | T3-N | T3-F | T4-N | T4-F | T4-NC | TC-1 | TC-2 | RC | OS | | | |
| Offices for physicians, dentists, chiropractors, psychiatrists, including emergency/urgent care centers including outpatient services | | - | P | - | P | P | P* | P | P | - | | | * Use allowed only on an upper floor, or behind a ground floor street-fronting use. |
| Outdoor sales: parking lot sales and other promotional events where only on-site business are participating (7 days or less) | | - | - | - | - | P | P | P | P | - | | | |
| Outdoor sales: Parking lot sales and other promotional events where only on-site businesses are participating (if longer than 7 days) | | - | - | - | - | TUP | TUP | TUP | TUP | - | | | |
| Parking facility, public or commercial | | - | - | - | - | - | CUP | CUP | CUP | - | | | |
| Personal and business support services: barber/beauty shops, nails & tanning salons, massage; laundries and dry cleaning (no on-site plants); laundromats, locksmiths; parcel services; printing, publishing, blueprinting, duplicating; tailor/dressmakers, alterations, shoe repair; etc. | | - | - | - | P | P | P | P | P | - | | | |
| Pet stores | | - | - | - | - | - | - | P | P | - | | | |
| Produce stand, winery, etc.; does not include Certified Farmers Markets) | | - | - | - | CUP* | - | - | - | P | - | | | * On Spring Street Corridor only |
| Produce: Certified Farmers Markets | | - | - | - | - | - | CUP | CUP | CUP | - | | | |
| Restaurants: sit-down and walk-up only | | - | P* | - | P | P | P | P | P | - | | | * On Spring Street Corridor only |
| Restaurants: drive-through | | - | - | - | - | - | - | CUP* | CUP | - | | | * Only in locations shown on Figure 5.3-2, subject to special regulation. |
| Retail Sales: clothing; beverage, drug stores; furniture, appliances, home furnishings specialized retail; antiques; artisans (does not include second-hand/ thrift stores) | | - | - | - | P | P | P | P | P | - | | | |

Amendment SPA 14-003



Figure 5.3-2 TC-2 – Restaurant: Drive-through overlay zone (Added by SPA 14-003)

Special Regulation - Drive-Through Restaurant:

1. Any drive-up or drive-through speaker system shall emit no more than fifty (50) decibels and at no time shall any speaker system be audible above daytime ambient noise levels beyond the property lines of the site. A noise analysis shall be required to demonstrate compliance.
2. Illuminated menu boards shall not be visible from adjacent T-3 or T-4 zones or existing residential uses.

