

**PLANNING COMMISSION – July 26, 2023 – Draft  
REQUIRED FINDINGS AND CONSIDERATIONS FOR:**

**25 W. Main Street**

**Architecture and Site Application S-22-039**

**Variance Application V-22-011**

**Conditional Use Permit U-23-002**

**Requesting Approval for Construction of an Addition to a Contributing Building in the Downtown Historic Commercial District; a Conditional Use Permit for a Restaurant Use with Alcohol Service; Variances for Maximum Floor Area and Reduced Parking; and Site Work Requiring a Grading Permit on Property Zoned C-2:LHP. APN 529-01-017.**

**Categorically Exempt Pursuant to CEQA Guidelines Section 15301: Existing Facilities.**

**PROPERTY OWNER: Reveal Corp.**

**APPLICANT: Gordon Wong, Gkw Architects**

**FINDINGS**

**Required findings for CEQA:**

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities.

**Required findings for granting a Variance application to exceed the maximum allowable FAR:**

- As required by Section 29.20.170 of the Town Code for granting a Variance application:
  - (1) Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other properties in the vicinity and under identical zone; and
  - (2) The granting of a variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone which such property is situated.

These findings can be made in that the FAR proposed is for the purpose of providing enclosed stair access and is consistent with the neighborhood pattern of existing building floor area on nearby properties.

**Required findings for granting a Variance application for reduced on-site parking:**

- As required by Section 29.20.170 of the Town Code for granting a Variance application:
  - (1) Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other properties in the vicinity and under identical zone;

and

- (2) The granting of a variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone which such property is situated.

These findings can be made in that the required parking space can not be provided on the site given the long narrow shape of the lot and reduced back-up space on Park Avenue, and the proposed use is consistent with other properties in the vicinity and zone as neighboring restaurant uses with outdoor seating do not provide on-site parking spaces.

#### **Required Findings for a Conditional Use Permit:**

- As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit:

The deciding body, on the basis of the evidence submitted at the hearing, may grant a conditional use permit when specifically authorized by the provisions of the Town Code if it finds that:

1. The proposed use would be considered desirable to the public convenience in that it would provide a restaurant tenant improvement and rehabilitation of the historic building enhancing the shopping and dining experience in the downtown; and
2. The proposed use would not impair the integrity and character of the zone in that the proposed restaurant with alcohol service and with outdoor dining would be compatible with similar existing uses within the Central Business District zone while preserving the historic character of the district; and
3. The proposed use would not be detrimental to public health, safety or general welfare, and the conditions of approval would maintain the welfare of the community; and
4. The proposed use is in conformance with the Town Code and General Plan with the exception of the request for the two Variances: to exceed the maximum allowable FAR; and for reduced on-site parking.

#### **Commercial Design Guidelines:**

- The proposed building is consistent with applicable provisions of the Commercial Design Guidelines.

#### **CONSIDERATIONS:**

##### **Considerations in review of Architecture and Site applications:**

- As required by Section 29.20.150 of the Town Code, the considerations in review of an Architecture and Site application were all made in reviewing this project.