

## RESOLUTION NO. PC2022-04

### A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL, APPROVING A CONDITIONAL USE PERMIT FOR THE ONSITE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AND ONSITE LIVE ENTERTAINMENT AT SALT CEDAR BBQ LOCATED AT 297 S. IMPERIAL AVENUE SUBJECT TO THE ATTACHED CONDITIONS

**WHEREAS**, Daniel Justus Hughes submitted an application for the onsite sale and consumption of alcoholic beverages and onsite live entertainment for Saltcedar BBQ located at 297 S. Imperial Avenue; and

**WHEREAS**, the subject site is located within the V-C Village Commercial Zone and eating and drinking establishments with alcoholic beverages and/or entertainment are conditionally allowed uses within that zone; and

**WHEREAS**, a duly notified public hearing was held by the Planning Commission on July 13, 2022, to hear testimony for and against the proposed Conditional Use Permit; and

**WHEREAS**, upon hearing and considering all testimony and arguments, examining the environmental study, analyzing the information submitted by staff and considering any written and oral comments received, the Planning Commission considered all facts relating to the project; and

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) That based on the evidence presented at the public hearing, the Planning Commission hereby **APPROVES Conditional Use Permit #22-03** subject to the conditions of approval outlined in Exhibit A and based on the following findings:
  1. The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act.
  2. The initial environmental assessment shows that there is no substantial evidence that the proposed land use will have a significant impact on the environment.
  3. The project meets all the requirements per section 24.19.340 of the Imperial Zoning Ordinance for granting said conditional use permit as follows:
    - a) That the proposed location, size, design, and operating characteristics of the proposed use is in accord with the Title and Purpose of this Ordinance, the Purpose of the zone in which the site is located, the

Imperial General Plan, and the development policies and standard of the City.

The subject site is located within a Commercial Village zone, which is intended to provide restaurants, retail and business uses located within the Downtown Core area.

- b) That the location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with consideration given to those items listed in Section 24.19.340.B of the Imperial Zoning Ordinance.

The location is ideal for the restaurant as it is surrounded by other downtown restaurants, retail shops and businesses. The project is compatible with the adjacent land uses and it will not adversely affect residents living in the apartment complex within the abutting the restaurant with the established conditions of approval and the applicant's mitigation efforts.

- c) That the proposed location, size, design, and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

With the Conditions of Approval put in place, the proposed project will not be detrimental to the public health, safety or welfare of those within the vicinity of the project site.

- d) That the proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance, except for any approved Variance.

The proposed facility complies with all provisions of the Zoning Ordinance.

**PASSED, ADOPTED AND APPROVED** by the Planning Commission of the City of Imperial, this 13th day of July, 2022.

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Planning Commission Chairman

ATTEST:

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City Clerk