

*** COVID-19 NOTICE ***

Consistent with the SLO County Region 1 – Southern California Regional Stay at Home Order, the Planning Commission Meeting will not be physically open to the public and Planning Commissioners will be teleconferencing into the meeting.

HOW TO SUBMIT PUBLIC COMMENT:

Members of the public are highly encouraged to call **669-900-6833** to listen and provide public comment via phone, or submit written public comments to pc-comments@atascadero.org by 5:00 pm on the day of the meeting. Such email **comments must identify the Agenda Item Number in the subject line of the email**. The comments will be read into the record, with a maximum allowance of 3 minutes per individual comment, subject to the Chairperson's discretion. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time. If a comment is received after the agenda item is heard but before the close of the meeting, the comment will still be included as a part of the record of the meeting but will not be read into the record.

If you would like to view presentations provided during the meeting, you may access them by clicking on the following link:

<https://us02web.zoom.us/j/83250238111?pwd=SG9OdGxyNHNTNmxRWEpHTzRQK0VnQT09>
Webinar ID: 832 5023 8111

AMERICAN DISABILITY ACT ACCOMMODATIONS:

Any member of the public who needs accommodations should contact the City Clerk's Office at cityclerk@atascadero.org or by calling 805-470-3400 at least 48 hours prior to the meeting or time when services are needed. The City will use their best efforts to provide reasonable accommodations to afford as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Planning Commission agendas and minutes may be viewed on the City's website: www.atascadero.org.

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the Community Development Department and are available for public inspection on our website, www.atascadero.org. Contracts, Resolutions and Ordinances will be allocated a number once they are approved by the Planning Commission. The Minutes of this meeting will reflect these numbers. All documents submitted by the public during Planning Commission meetings that are either read into the record or referred to in their statement will be noted in the Minutes and available for review by contacting the Community Development Department. All documents will be available for public inspection during City Hall business hours once City Hall is open to the public following the termination of the Shelter at Home Order.



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

**REGULAR MEETING
Tuesday, July 20, 2021
6:00 P.M.**

**City Hall Council Chambers
6500 Palma Avenue, 4th Floor
Atascadero, California 93422**

CALL TO ORDER

Pledge of Allegiance

Roll Call: Chairperson Jeff van den Eikhof
Vice Chairperson Tori Keen
Commissioner Jason Anderson
Commissioner Victoria Carranza
Commissioner Randy Hughes
Commissioner Jennifer McIntyre
Commissioner Dennis Schmidt

APPROVAL OF AGENDA

PUBLIC COMMENT (This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. Speakers are limited to three minutes. Please state your name for the record before making your presentation. The Commission may take action to direct the staff to place a matter of business on a future agenda.)

CONSENT CALENDAR (All items on the consent calendar are considered to be routine and non-controversial by City staff and will be approved by one motion if no member of the Commission or public wishes to comment or ask questions.)

1. APPROVE THE DRAFT MINUTES OF JUNE 1, 2021

- Recommendation: Commission approve the June 1, 2021, Minutes.

PLANNING COMMISSION BUSINESS

WEBSITE:



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COMMUNITY DEVELOPMENT STAFF REPORTS

None

PUBLIC HEARINGS

(For each of the following items, the public will be given an opportunity to speak. After a staff report, the Chair will open the public hearing and invite the applicant or applicant's representative to make any comments. Members of the public will be invited to provide testimony to the Commission following the applicant. Speakers should state their name for the record and can address the Commission for three minutes. After all public comments have been received, the public hearing will be closed, and the Commission will discuss the item and take appropriate action(s).

DISCLOSURE OF EX PARTE COMMUNICATIONS:

Prior to a project hearing, Planning Commission Members must disclose any communications they have had on any quasi-judicial agenda items. This includes, but is not limited to, Tentative Subdivision Maps, Parcel Maps, Variances, Conditional Use Permits and Planned Development Permits. This does not disqualify the Planning Commission Member from participating and voting on the matter, but gives the public and applicant an opportunity to comment on the ex parte communication.

2. AMENDMENT TO EXISTING BUILDING AT 5880 ARDILLA ROAD

The proposed project consists of the construction of an addition to an existing multi-family building. This includes adding a 2nd story onto an existing one-story building as well as the addition of a courtyard and community building. The project would increase the density from 13 units to 32 units. The applicant is proposing a density bonus and is requesting a parking reduction. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption § 15332, Class 32 In-Fill Development Projects.

Ex Parte Communications:

Recommendation: The Planning Commission adopt the draft Resolution approving amendments to Conditional Use Permit 02-91 allowing an expansion to an existing multi-family development up to 32 units consistent with previously approved conditions of approval, based on findings and subject to conditions of approval. (AMND21-0054)

COMMISSIONER COMMENTS AND REPORTS**DIRECTOR'S REPORT****ADJOURNMENT**

The next regular meeting will be held on August 3, 2021, at 6:00 p.m.

Please note: Should anyone challenge in court any proposed development entitlement listed on this Agenda, that person may be limited to raising those issues addressed at the public hearing described in this notice or in written correspondence delivered to the Planning Commission at, or prior to, this public hearing.

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*City of Atascadero***WELCOME TO THE ATASCADERO PLANNING COMMISSION MEETING**

The Planning Commission meets in regular session on the first and third Tuesday of each month at 6:00 p.m. at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero. Matters are considered by the Commission in the order of the printed Agenda.

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the office of the Community Development Department and are available for public inspection during City Hall business hours at the Front Counter of City Hall, 6500 Palma Avenue, Atascadero, and on our website, www.atascadero.org. All documents submitted by the public during Commission meetings that are either read into the record or referred to in their statement will be noted in the minutes and available for review in the Community Development Department. Commission meetings are audio recorded, and may be reviewed by the public. Copies of meeting recordings are available for a fee. Contact the City Clerk for more information (470-3400).

In compliance with the Americans with Disabilities Act, **if you need special assistance to participate in a City meeting or other services offered by this City**, please contact the City Manager's Office or the City Clerk's Office, both at (805) 470-3400. Notification at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

TO SPEAK ON SUBJECTS NOT LISTED ON THE AGENDA

Under Agenda item, "PUBLIC COMMENT", the Chairperson will call for anyone from the audience having business with the Commission to approach the lectern and be recognized.

1. Give your name for the record (not required)
2. State the nature of your business.
3. All comments are limited to 3 minutes.
4. All comments should be made to the Chairperson and Commission.
5. No person shall be permitted to make slanderous, profane or negative personal remarks concerning any other individual, absent or present.

This is when items not on the Agenda may be brought to the Commission's attention. A maximum of 30 minutes will be allowed for Public Comment Portion (unless changed by the Commission).

TO SPEAK ON AGENDA ITEMS (from Title 2, Chapter 1 of the Atascadero Municipal Code)

Members of the audience may speak on any item on the agenda. The Chairperson will identify the subject, staff will give their report, and the Commission will ask questions of staff. The Chairperson will announce when the public comment period is open and will request anyone interested to address the Commission regarding the matter being considered to step up to the lectern. If you wish to speak for, against or comment in any way:

1. You must approach the lectern and be recognized by the Chairperson.
2. Give your name (not required).
3. Make your statement.
4. All comments should be made to the Chairperson and Commission.
5. No person shall be permitted to make slanderous, profane or negative personal remarks concerning any other individual, absent or present.
6. All comments limited to 3 minutes.

If you wish to use a computer presentation to support your comments, you must notify the Community Development Department at 470-3402 at least 24 hours prior to the meeting. Digital presentations brought to the meeting should be on a USB drive or CD. You are required to submit to the Recording Secretary a printed copy of your presentation for the record. Please check in with the Recording Secretary before the meeting begins to announce your presence and turn in the printed copy.

The Chairperson will announce when the public comment period is closed, and thereafter, no further public comments will be heard by the Commission.

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CITY OF ATASCADERO PLANNING COMMISSION

DRAFT MINUTES

**Regular Meeting – Tuesday, June 1, 2021 – 6:00 P.M.
City Hall (Teleconference)
6500 Palma Avenue, Atascadero, California**

CALL TO ORDER - 6:00 p.m.

Chairperson van den Eikhof called the meeting to order at 6:02 p.m. and Commissioner Schmidt led the Pledge of Allegiance.

ROLL CALL

Present: **By Teleconference** - Commissioners Anderson, Carranza, Schmidt, Vice Chairperson Keen and Chairperson van den Eikhof

Absent: Commissioner Randy Hughes (excused absence)
Commissioner Jennifer McIntyre (excused absence)

Vacant: None

Others Present: **By Teleconference** - Recording Secretary, Annette Manier

Staff Present: **By Teleconference** –
Community Development Director, Phil Dunsmore
Deputy Director of Economic and Community Development, Loreli Cappel
Senior Planner, Kelly Gleason
Assistant Planner, Mariah Gasch

APPROVAL OF AGENDA

MOTION: By Commissioner Schmidt and seconded by Vice Chairperson Keen to approve the Agenda.

Motion passed 5:0 by a roll-call vote.

PUBLIC COMMENT

None

Chairperson van den Eikhof closed the Public Comment period.

CONSENT CALENDAR**1. APPROVE THE DRAFT MINUTES OF MAY 18, 2021**

- Recommendation: Commission approve the May 18, 2021, Minutes.

MOTION: By Commissioner Anderson and seconded by Commissioner Carranza to approve the Consent Calendar.

Motion passed 5:0 by a roll-call vote.

PLANNING COMMISSION BUSINESS

None.

COMMUNITY DEVELOPMENT STAFF REPORTS

None.

PUBLIC HEARINGS**2. AMENDMENT TO DEL RIO ROAD COMMERCIAL AREA SPECIFIC PLAN**

The proposed project is located at the South East corner of Del Rio Road and El Camino Real and includes retail/commercial/mixed-use buildings, a conference building, outdoor amphitheater, RV lodging site, hotel and relocation and expansion of the residentially-zoned portion of the site. The project is consistent with the previously certified EIR and subsequent addendums completed for the Del Rio Road Commercial Area Specific Plan.

Ex Parte Communications:

Recommendation: Recommend the project move forward to the City Council for approval. (AMND21-0020)

EX PARTE COMMUNICATIONS

Commissioner Schmidt heard this item at the Design Review Committee and read the letters sent prior to the meeting. Chairperson van den Eikhof heard this item at the Design Review Committee.

Planner Gleason presented the staff report, and she and Director Dunsmore answered questions from the Commission.

PUBLIC COMMENT

The following members of the public spoke: Ted Lawton (who presented Exhibit A), Jeni Kim, Jack Phelan, Mike Mancack, and Wade Kelley.

The following emails were read into the record by Recording Secretary Manier:
Brian Gordon Kennelly (Exhibit B)
Scott Huffman (Exhibit C)

Chairperson van den Eikhof closed the Public Comment period.

MOTION: By Commissioner Schmidt and seconded by Commissioner Anderson to adopt PC Draft Resolution recommending the City Council approve General Plan Amendments, Specific Plan Amendments, a Zoning Map Amendment, Concept Master Plan of Development, and Conditional Use Permit for the Del Rio Ranch project, based on findings and subject to conditions of approval, and is recommending that the City Council work on trying to provide temporary use as discussed.

Motion passed 5:0 by a roll-call vote.

COMMISSIONER COMMENTS AND REPORTS

None

DIRECTOR'S REPORT

Director Dunsmore stated that the next meeting may be cancelled because there are no items ready for that date.

Director Dunsmore introduced Loreli Cappel, the City's new Deputy Director of Economic Development. Director Dunsmore and Deputy Director Cappel answered questions in regards to future projects, especially around Sunken Gardens.

ADJOURNMENT – 8:07 p.m.

The next regular meeting is scheduled for June 15, 2021, at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero.

MINUTES PREPARED BY:

Annette Manier, Recording Secretary
Administrative Assistant

The following Exhibits are available in the Community Development Department:

Exhibit A – Presentation by Cal Coastal Communities
Exhibit B – Email from Brian Gordon Kennelly
Exhibit C – Email from Scott Huffman



Atascadero Planning Commission

Staff Report – Community Development Department

Empire Apartments Addition 5880 Ardilla Rd. / USE21-0054

RECOMMENDATION(S):

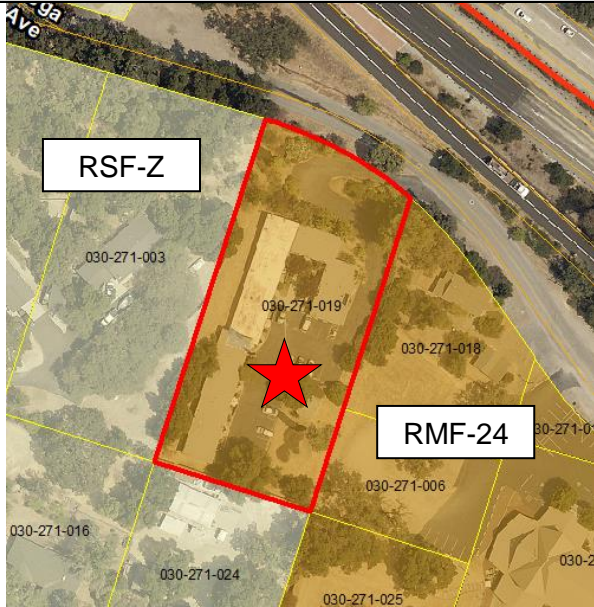

Staff Recommends: The Planning Commission adopt the draft Resolution approving amendments to Conditional Use Permit 02-91 allowing an addition to add 19 units to the existing 13-unit apartment building for a total of 32-units consistent with a previously approved project based on findings and subject to conditions of approval.

Project Info In-Brief:

PROJECT ADDRESS:	5880 Ardilla Road	Atascadero, CA	APN	030-481-019
PROJECT PLANNER	Mariah Gasch Assistant Planner	470-3436	mgasch@atascadero.org	
PROPERTY OWNER	Arris Studio Architects			
GENERAL PLAN DESIGNATION:	ZONING DISTRICT:	SITE AREA	EXISTING USE	PROPOSED USE
High Density Residential (HDR)	Residential Multi-Family (RMF-24)	1.10 acres	Multi-Family Residence	Expanded multi-family residence
ENVIRONMENTAL DETERMINATION				
<input type="checkbox"/> Environmental Impact Report SCH: _____				
<input type="checkbox"/> Negative / Mitigated Negative Declaration No. _____				
<input checked="" type="checkbox"/> Categorical Exemption CEQA – Guidelines Section 15332				
<input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____				
<input type="checkbox"/> No Project – Ministerial Project				

DISCUSSION:

Existing Surrounding Uses / Parcel Configurations:

ZONING AND LOCATION		AERIAL	
			
SURROUNDING ZONING DISTRICTS AND USES			
<u>North</u> : HWY 101	<u>South</u> : Residential Single-Family (RSF-Z)	<u>East</u> : RMF-24	<u>West</u> : Residential Single-Family (RSF-Z)

Summary:

The subject site is approximately 1.1 acres and currently developed with one multi-family building with 13 units, including one manager's unit. The units are currently income restricted and rented at the "low income" level (residents must qualify based on 80% of the area median income). The existing building contains one studio, 11 one-bedroom units and one three-bedroom manager's unit. Laundry facilities are provided on-site. The proposed project will result in a total of 12 studio units, 19 one-bedroom units and one three-bedroom manager's unit. The applicant is also proposing to add a new detached community building with 612 square feet (SF) of community space and 191 SF of storage space. The renovation will add a courtyard, move the trash enclosure, widen the parking lot, and upgrade accessibility to current standards while maintaining shared laundry facilities.

Atascadero Municipal Code (AMC) 9-2.110 requires that all multi-family residential developments consisting of 12 or more units obtain Conditional Use Permit (CUP) approval.

This project was presented to the Design Review Committee (DRC) on March 11, 2021. The DRC primarily focused on the site's parking constraints and accessibility for residents. The applicant has addressed the DRC's comments by incorporating additional bicycle parking and a fence to regulate access.

Background:

The subject building was formerly the Empire Inn Motel. In 1991, the San Luis Obispo Non-profit Housing Corporation (now Housing Authority of San Luis Obispo) applied for a CUP to convert the motel into low income apartments. The original project obtained a CUP in 1991.

Analysis:

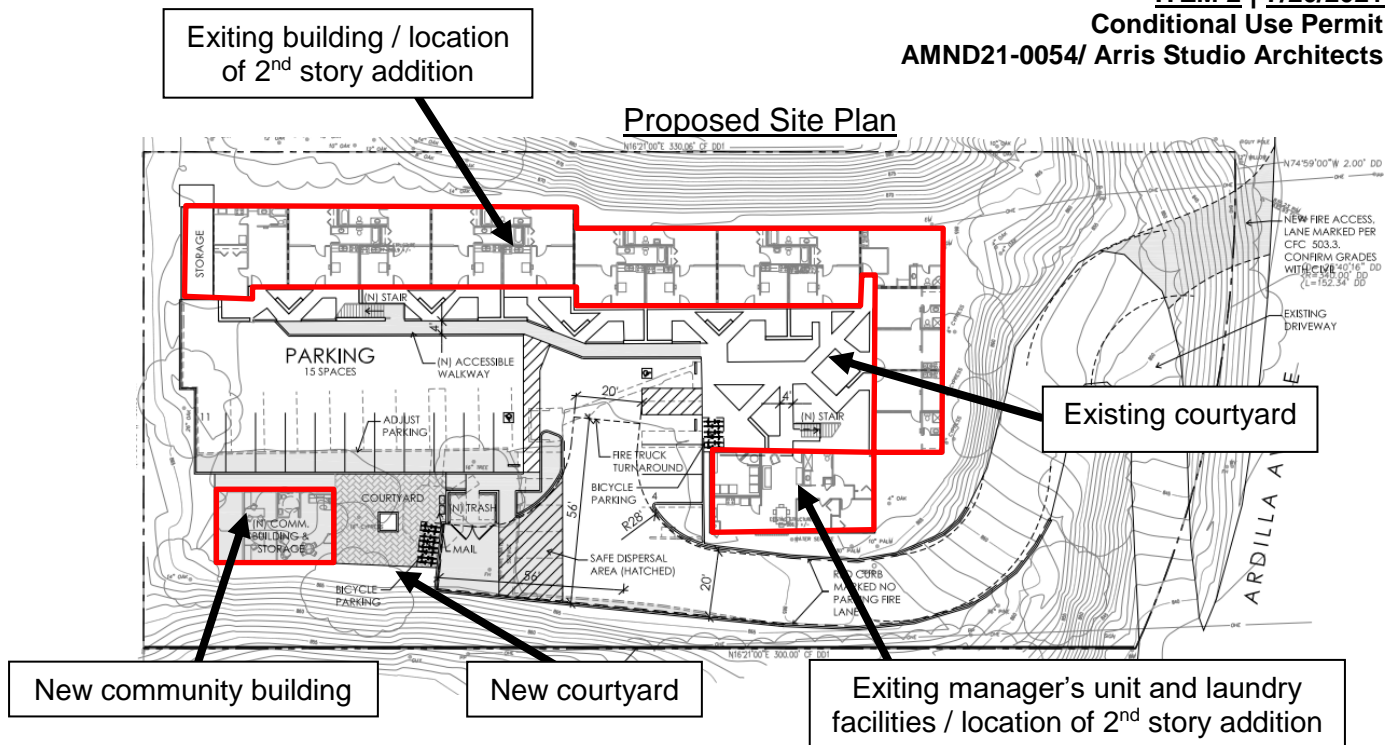
Density

The property is zoned High Density Residential which requires a minimum density of 20 units/acre and allows for a maximum density of 24 units/acre. Therefore, this project site has a minimum density of 22 units and a maximum base density of 27 units. Per CA Government Code Section 65915, the applicant can receive a density bonus of up to 35% above what is allowed by the zoning code for designating at least 20% of the units for low income. With the density bonus, the site could have up to 36 units total. The applicant is proposing a total of 32 units, all of which will be affordable at the low income level. Per City code, a CUP is required for multi-family developments of 12 units or greater. Therefore, the applicant is required to amend the existing CUP.

Site Design

The existing building was originally a motel built in the 1960's, then later converted to apartments. The site is accessed by a long, curved driveway with access onto Ardilla Ave. The L-shaped one-story building contains thirteen units, a shared laundry facility and a small storage space. There is also a walkway that runs in front of the units and a courtyard between the units on the north side. The walkway is separated from the parking lot by low walls, covered in a stone veneer. Along the walkway, the units have small outdoor patio spaces for residents to use.

By adding a second story to the building, the applicant will increase the height from 9'-6" to 22'-6". The first floor would continue to have 12 units in addition to the manager's unit and laundry facility. The new second story would have 8 one-bedroom units in addition to 11 studio units. The site currently has a gazebo that is proposed to be removed and replaced by a community building and courtyard. The applicant is also proposing to extend the parking lot further east to accommodate a new accessible path in front of the units. The proposal also includes the addition of a new trash enclosure.



Architecture and Design

The project was reviewed by the City's Design Review Committee (DRC) on March 11, 2021. The DRC endorsed the project design and primarily discussed parking constraints and accessibility. Due to the building's history as a 1960's motel, it encompasses a strong mid-century modern architectural style. This architectural style can be seen in the simplicity of the building, with a flat roof and the clean lines of the windows, doors and walkway features. The existing color palette is also simple consisting of white and, green with stone veneer accents on the walls along the walkway.

The applicant's proposal maintains and enhances the mid-century modern theme that exists on the site today. The second story addition includes slanted rooflines that slant upwards toward the parking lot and interior courtyard and provide for an overhang above the second floor exterior walkway. The design features new wood slatted screens, a smooth stucco finish, new vinyl windows, and new painted entry doors. The entry doors also include a long, geometric window, consistent with midcentury modern style. The stone veneer walls will remain. The color scheme remains simple and neutral. The main building is light grey with earthy green accents. The doors will be black and the windows



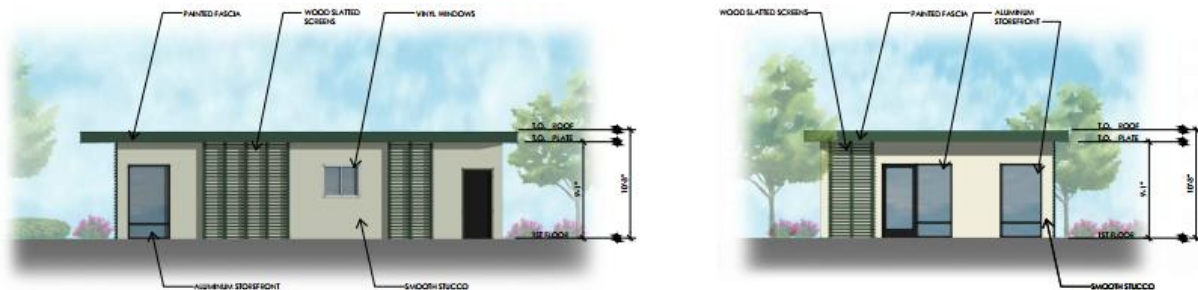
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO
COMMUNITY DEVELOPMENT DEPARTMENT AT

<http://www.atascadero.org>
6500 PALMA AVENUE | ATASCADERO, CA 93422 | (805) 461-5000

will be white vinyl. The stonewall caps above the veneer stone walls will be painted a burnt orange/ clay color.

The new community building matches this design with the same color scheme, wood slatted screens and white vinyl windows. The project also includes a new trash enclosure that will be a split faced concrete masonry unit block (CMU) with green doors.

Community Building:



Parking and Access

Access is provided by single driveway from Ardilla Avenue. The existing parking lot contains 18 parking spaces with no accessible parking. The applicant is proposing to remove three spaces to provide for a new fire truck turnaround and add two new accessible parking spaces resulting in 15 total spaces. The State density bonus law sets a maximum parking ratio for projects providing affordable units. Per state law, a maximum of 33 parking spaces may be required. However, the applicant is requesting a further reduction as a concession in accordance with density bonus law. The applicant is proposing the following parking ratios for the site:

Bedroom Type	Total Units (Proposed and Existing)	Parking Required (Atascadero Municipal Code)	Maximum Density Bonus requirements	Total Parking Provided Under requested concession
Studio	12	18	12 (1 per unit)	15
One Bedroom	19	28.5	19 (1 per unit)	
Three Bedroom	1	2.5	2 (2 per unit)	
Guest Parking	0	6.4	0	
Total	32	56	33	15

Per State law, the City cannot deny a requested parking concession unless it has conducted an area-wide or jurisdiction-wide parking study in the last seven years that provides substantial evidence for higher vehicular parking ratios. Because Atascadero is



developed with limited neighborhood parking opportunities compared to other cities, the Planning Commission should carefully consider the request for a reduction in parking below the ratio established by State law. However, the City would need to provide substantial evidence for the denial to this request and conduct a parking study in accordance with State Law. There is no on-street parking along Ardilla Ave. and due to the steep slope of the driveway, the site is difficult to access from the road on foot. According to the owner/operator, many of the residents do not drive so the current parking demand in the lot is low. Based on observations by staff and the applicant, it appears that approximately half of the spaces are typically used.

The Design Review Committee suggested promoting bicycling as a form of transportation for residents. The applicant responded to this by adding two new bicycle racks for a total of fourteen spaces for the residents to use. Staff has also added a condition that the applicant provide a parking management plan that can justify the low parking ratio. The management plan can provide for things such as car sharing, specific units that must be occupied by tenants who do not own vehicles, and other programs such as a direct transportation service for tenants.

The Design Review Committee also discussed the requirement of frontage improvements (curb, gutter, sidewalk) along Ardilla Avenue. Typically, a project of this size would trigger these frontage improvements. However, the City Engineer reviewed the project and determined that frontage improvements are not necessary on this site as they will not provide a significant benefit for the community. Due to the topography and location of the existing driveway, the addition of a sidewalk would require significant grading and high retaining walls. The existing driveway comes out on the northeast corner of the site, meaning that a future sidewalk would extend west. The properties to the west of the subject site are zoned single-family residential which do not have any triggers for frontage improvements. Therefore, if the sidewalk were to be built out, it would only lead to residences and would not improve accessibility to downtown. The Design Review Committee also discussed a concern regarding Empire residents walking up the hill and through the adjacent property to the east to gain access to the site. Since there is no access easement through the adjacent property, the applicant is proposing a fence along the property line adjacent to the church to the south to discourage using this hill as a walkway.

Landscaping

Landscaping will be enhanced throughout the project site and includes native trees, groundcover, shrubs, and grasses adjacent to the walkways, within the courtyard and around the parking lot. Approximately 41% of the site will be landscaped, well above the minimum 25% required by the AMC. Per AMC Section 9-4.119, a minimum 10% of parking areas need to be landscaped and shade trees are to be provided at 30-foot intervals. The Municipal Code requires trash enclosures to be landscaped, street trees to be added along the street frontage, and a minimum five-foot landscape strip within side yard setbacks. Due to parking lot constraints, adding landscaping around the new trash enclosure will be difficult. There are also trees and vegetation lining Ardilla Avenue already, leaving little space to plant new street trees. No landscaping is proposed within



setback areas except the addition of new groundcover. Due to the topography of the site and orientation of the building, landscaping within the side setbacks would likely not be visible to most. However, the applicant is adding landscaping around the parking lot. Atascadero Municipal Code (AMC) 9-4.119 also includes landscape requirements for parking lots. A minimum of 10% of all interior parking lots are required to be landscaped and shade trees are to be provided at approximately 30-foot intervals. Landscape fingers should also be provided between every eight parking spaces. The already constrained parking lot makes adding additional landscaping very difficult. By adding more landscaping within the parking lot, there may be more parking spaces lost. Due to the existing mature vegetation on and adjacent to the site, staff recommends no changes to the proposed landscape plan.

Landscape Plan



Multi-Family Standards

Storage:

The Zoning Ordinance requires specific standards for projects developed in residential multi-family (RMF) zoning districts. AMC 9-3.262 states that each unit shall be provided a minimum of 100 cubic feet of enclosed storage space, exclusive of closets, which may be located in either a principal or accessory building. The applicant is requesting an exception to this requirement as a concession through the State Density Bonus Law provisions. Due to the existing layout and proposed unit sizes, storage inside the units is limited. Aside from Unit 3 on the first floor, which has a larger storage closet, the other units only have designated storage within standard bedroom closets. The new community building includes a small storage area of approximately 200 square feet. Since the



applicant is trying to maximize the number of new affordable units by adding small units, there is no additional space to add storage. The addition of new storage space would likely reduce the overall number of units proposed.

Open Space:

The code requires outdoor recreational space at a ratio of three-hundred square feet per unit. Based on this, a total of 9,600 square feet of open space is required for this project. According to the code, this can be provided in one shared location, provided that no individual area is less than 1,000 square feet. The only proposed outdoor recreational space is a courtyard that is approximately 890 square feet adjacent to the new community building. The existing courtyard at the northern end of the building is 1,260 square feet. Each downstairs units also has a small outdoor patio space in front of their unit which is approximately 40 square feet. The project is below the zoning code thresholds requirement for open space. Therefore, the applicant is requesting a concession for this requirement. Due to the site's topography, there is limited opportunity to expand open space further. The addition of more open space may result in a loss of units or extensive grading.

ENVIRONMENTAL DETERMINATION:

The proposed project is Categorically Exempt (Class 32) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) CEQA pursuant to CEQA Guidelines Section 15332, because it includes in-fill development.

FINDINGS:

To approve the Conditional Use Permit, the Planning Commission must make the following findings. These findings and the facts to support these findings are included in the attached PC Resolution 2021.

Conditional Use Permit (AMC Section 9-2.110(b).(3).(iv)

1. The proposed project or use is consistent with the General Plan;
2. The proposed project or use satisfies all applicable provisions of this title;
3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use;
4. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development;



5. The proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the land use element; and
6. The proposed project is in compliance with any pertinent city policy or criteria adopted by ordinance or resolution of the city council; and

Landscaping Exception (AMC Section 9-4.125(c).(2))

7. Existing vegetation topography or structural arrangement preclude the need for landscaping.

ALTERNATIVES:

1. The Planning Commission may include modifications to the project and/or Conditions of Approval for the project. Any proposed modifications including Conditions of Approval, should be clearly re-stated in any vote on any of the attached resolutions.
2. The Planning Commission may determine that more information is needed on some aspect of the project and may refer the item back to the applicant and staff to develop the additional information. The Commission should clearly state the type of information that is required. A motion, and approval of that motion, is required to continue the item to a future date.
3. The Planning Commission may deny the project. The Commission must specify what findings cannot be made, and provide a brief oral statement based on the Staff Report, oral testimony, site visit, correspondence, or any other rationale introduced and deliberated by the Planning Commission.

ATTACHMENTS:

1. Draft PC Resolution
2. Location and Zoning Map
3. Aerial View
4. Site Photos



**ATTACHMENT 1: Draft Resolution
AMND21-0054**

DRAFT PC RESOLUTION

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF ATASCADERO, CALIFORNIA,
APPROVING AMENDMENT AMND21-0054, AN AMENDMENT TO
CONDITIONAL USE PERMIT 02-91 TO ALLOW FOR AN EXPANSION
OF UNITS FOR THE EMPIRE APARTMENTS ON APN 030-271-019**

**5880 ARDILLA ROAD
ARRIS STUDIO ARCHITECTS**

WHEREAS, an application was received from Arris Studio Architects, 1327 Archer Street, Suite 220, San Luis Obispo, CA 93401, Applicant, and San Luis Obispo Non-profit Housing Corporation, 478 Leff Street, San Luis Obispo, CA 93401, Owner, to consider an Amendment to Conditional Use Permit 02-91 to allow an expansion to an existing multi-family development up to thirty-two units; and

WHEREAS, the site has a General Plan Designation of High Density Residential (HDR); and

WHEREAS, the property is in the Residential Multi-Family (RMF-24) zoning district; and

WHEREAS, twenty-four (24) units per acre maximum density is allowed in High Density Multi-family (RMF-24) zone and the 1.10-acre site has a base density of up to twenty-seven (27) units; and

WHEREAS, Government Code Section 65915 allows a density bonus of up to thirty-five percent (35%) above what is allowed by the zoning code for designating at least twenty percent (20%) of the units for low income; and

WHEREAS, the project includes one-hundred percent 100% low income restricted affordable units; and

WHEREAS, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the State and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and

WHEREAS, a timely and properly noticed Public Hearing upon the subject Major Conditional Use Permit Amendment application was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said Conditional Use Permit; and

WHEREAS, the Planning Commission reviewed the proposed Conditional Use Permit application on July 20, 2021, at 6:00 p.m. and considered testimony and reports from staff, the applicants, and the public.

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NOW THEREFORE, the Planning Commission of the City of Atascadero, California, takes the following actions:

SECTION 1. CEQA. The Planning Commission finds as follows:

1. The proposed project is Categorically Exempt (Class 32) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) CEQA pursuant to CEQA Guidelines Section 15332, because it includes in-fill development.

SECTION 2. Findings for approval of Conditional Use Permit. The Planning Commission finds as follows:

1. The proposed project or use is consistent with the General Plan; and

Fact: The use is consistent with the Residential Multi-Family designation of the General Plan and General Plan Land Use Element Policy 1.1, preserving the rural atmosphere, 1.1.7, infill within the urban core, and Housing Element Policies 1.1, providing households for all income levels, 1.3, encouraging the production of housing with an emphasis on affordable to the persons with disabilities, and 2.1, facilitating housing development that is affordable to lower income households by providing concessions.

2. The proposed project or use satisfies all applicable provisions of the Zoning Ordinance; and

Fact: As proposed, the project will meet the property’s setback, height and other site design requirements. The use of the structure will be limited to uses permitted by the Zoning Ordinance. The project, with Planning Commission approval of this Conditional Use Permit, satisfies all applicable provisions of the Zoning Ordinance related to residential accessory structures.

3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use; and

Fact: The proposed residential development will not be detrimental to the general public or working persons health, safety, or welfare.

4. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development; and

Fact: The proposed project is compatible with the surrounding neighborhood by providing a higher density residential development along Ardilla Road with topographic and landscape buffering to adjacent single-family land uses. The project has been designed to enhance the appearance of an existing multi-family project with compatible architecture and project landscaping. The General Plan identifies the project site as a prime multi-family site.

5. The proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the



project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the land use element; and

Fact: The proposed project and use is consistent with the traffic projections and road improvements anticipated within the General Plan and as proposed by the applicant.

6. The proposed project is in compliance with any pertinent City policy or criteria adopted by ordinance or resolution of the City Council; and

Fact: The proposed additional units are within the maximum density allowed for the high density residential multifamily zoning district. The proposed amendment, with staff recommended conditions, is compliant with all related zoning codes and plans.

Findings for approval of a landscape exception. The Planning Commission finds as follows:

7. Existing vegetation topography or structural arrangement preclude the need for landscaping.

Fact: The site is developed with an existing building and parking lot. Adding additional landscaping would reduce the number of parking spaces on an already constrained site. The applicant has maximized the available area for landscaping.

SECTION 3. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on July 20, 2021, resolved to approve Conditional Use Permit AMND21-0054, subject to the following:

EXHIBIT A: Conditions of Approval
EXHIBIT B: Site Plan
EXHIBIT C: Floor Plans
EXHIBIT D: Elevation Drawings
EXHIBIT E: Landscape Plan

On motion by Commissioner _____, and seconded by Commissioner _____, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES:	()
NOES:	()
ABSENT:	()
ABSTAINED:	()
ADOPTED:	

CITY OF ATASCADERO, CA

Jeff van den Eikof
Planning Commission Chairperson

ATTEST:

Phil Dunsmore
Planning Commission Secretary



EXHIBIT A: Conditions of Approval AMND 21-0054
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<p>Conditions of Approval AMND 21-0054</p> <p>5880 Ardilla Road</p> <p>Addition to existing residential multi-family</p>	<p>Timing</p> <p>BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy</p>
Planning Services Conditions	
1. This Conditional Use Permit shall allow the accessory structure described in the attached exhibits and located on APN 030-271-019.	Ongoing
2. The approval of this use permit shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval unless an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	Ongoing
3. The Community Development Department shall have the authority to approve the following minor changes to the project that (1) modify the site plan project by less than 10%, (2) result in a superior site design or appearance, and/or (3) address a construction design issue that is not substantive to the Master Plan of Development. The Planning Commission shall have the final authority to approve any other changes to the Master Plan of Development and any associated Tentative Maps unless appealed to the City Council.	BP
4. Approval of this Conditional Use Permit shall be valid for twenty-four (24) months after its effective date. At the end of the period, the approval shall expire and become null and void unless the project has received a building permit and started construction on the project.	BP
5. The applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning the construction or use of the detached accessory structure.	Ongoing
6. All exterior elevations, finish materials and colors shall be consistent with what is shown in EXHIBIT D.	BP / FI
7. The applicant shall submit a landscape and irrigation plan concurrently with their building permit submittal.	BP / FI
8. The developer and/or subsequent owner shall assume responsibility for the continued maintenance of all landscape and common areas, consistent with EXHIBIT D.	Ongoing
9. Trash receptacles are to be fully shielded from adjacent properties.	BP/ Ongoing
10. The applicant shall submit a Parking Management Plan, to be approved by the Community Development Director, and record the plan prior to requesting a final planning inspection.	FI
City Engineer Conditions	
11. A preliminary Storm Water Control Plan (SWCP) must be completed showing how the proposed project will comply with City and State regulations (Regional Water Quality Control Board Res. No. R3-2013-0032). The preliminary SWCP shall be completed using the City standard form and should include preliminary calculations supporting any required treatment or storage areas associated with Drainage Management Areas (DMA).	
12. The remodel of existing facilities and the new facilities are subject to the current City sewer fees and said fees shall be paid prior to issuance of building permits.	
Fire Department Conditions	
13. Show non-skid surface where required per the Fire Code.	

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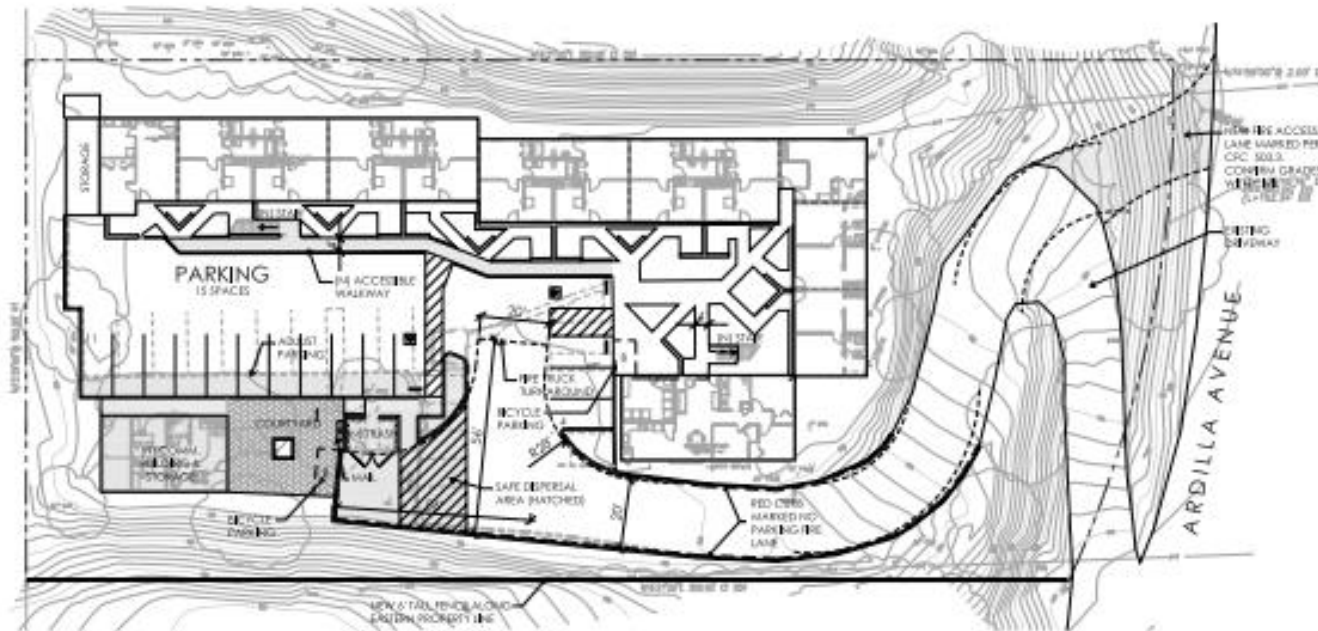
EXHIBIT B: Site Plan
AMND21-0054

UNIT DATA

	STUDIO	1 BED	TOTAL
EXISTING	1	11	12
PROPOSED	11	8	19
TOTAL UNITS	12	19	31

*(1) EXISTING 3 BEDROOM MANAGER'S UNIT TO BE MODIFIED INTO
(1) 3 BEDROOM ACCESSIBLE MANAGER'S UNIT

** CONVERT ONE EXISTING 1-BED ON 1ST FLOOR TO BE FULLY ACCESSIBLE



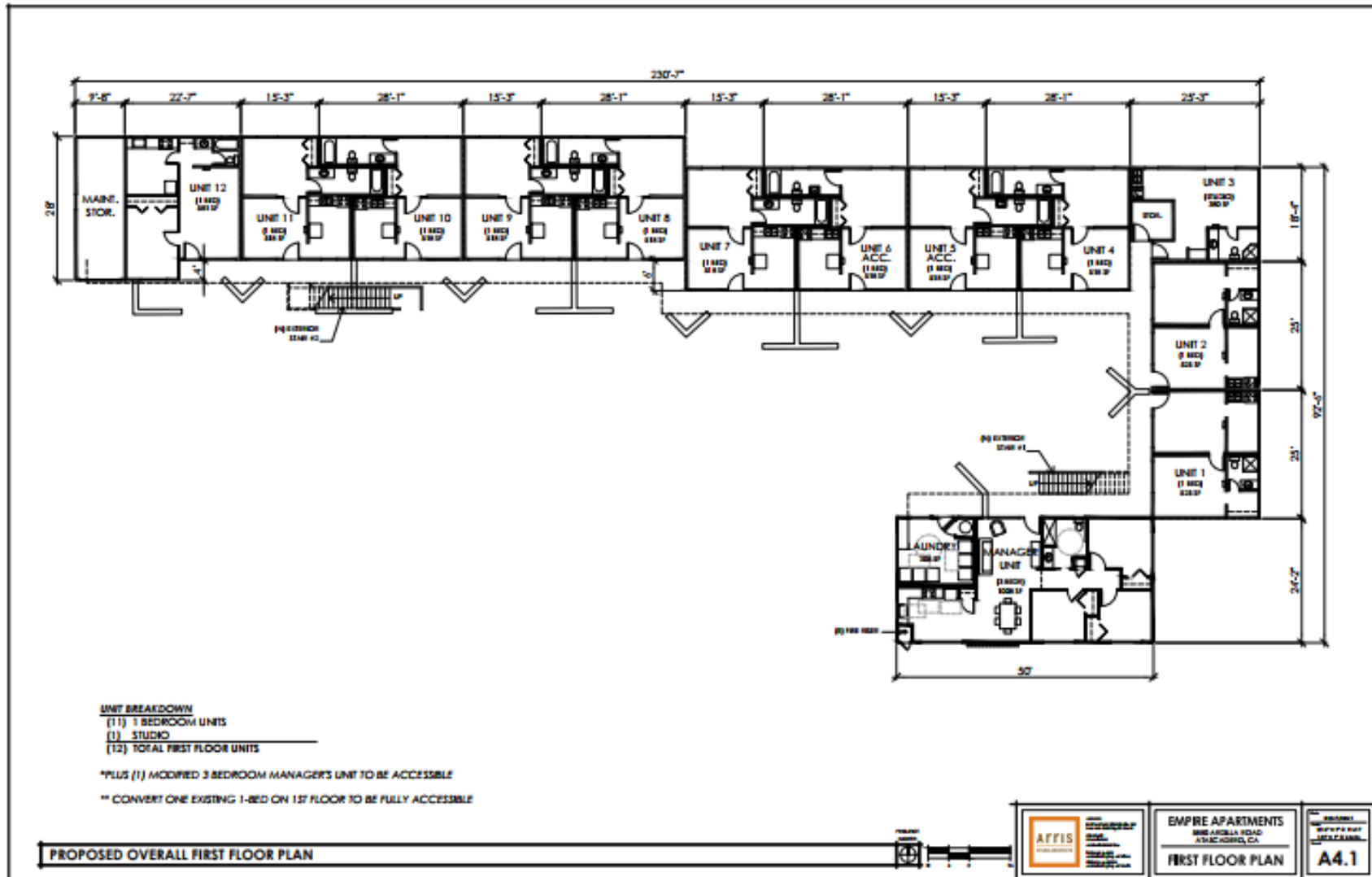
PROPOSED OVERALL SITE PLAN

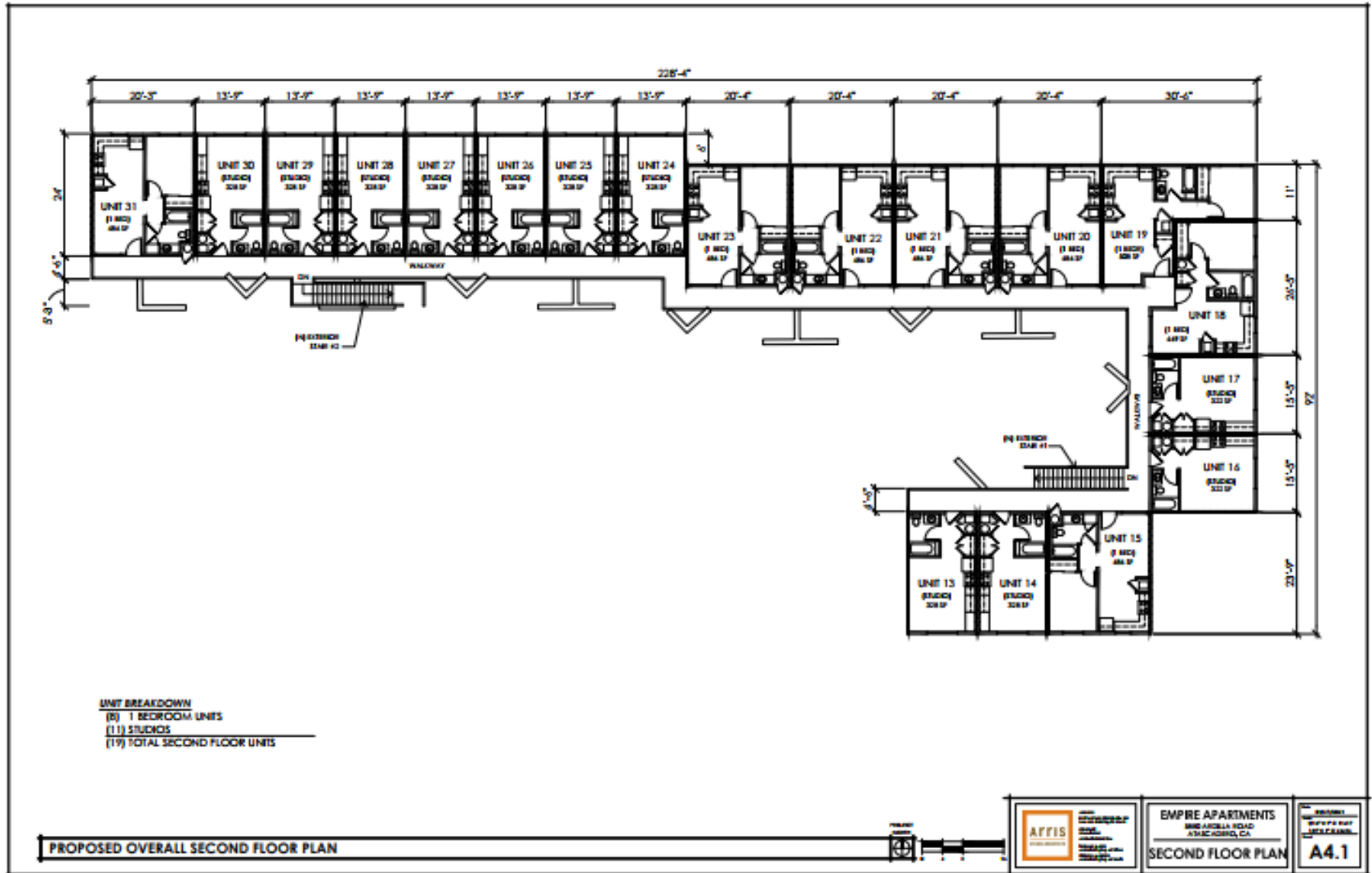


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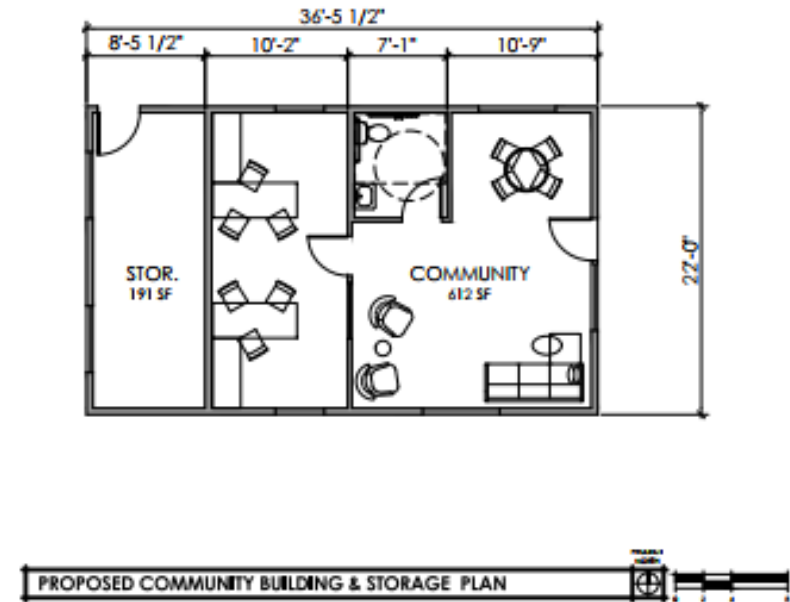
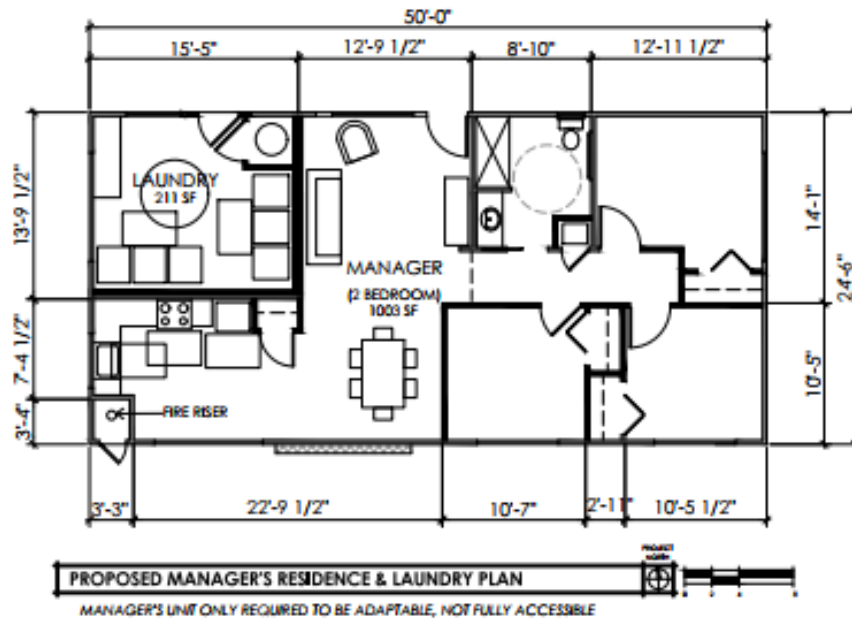
EXHIBIT C: Floor Plans
AMND21-0054





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EXHIBIT D: Elevation Drawings
AMND21-0054



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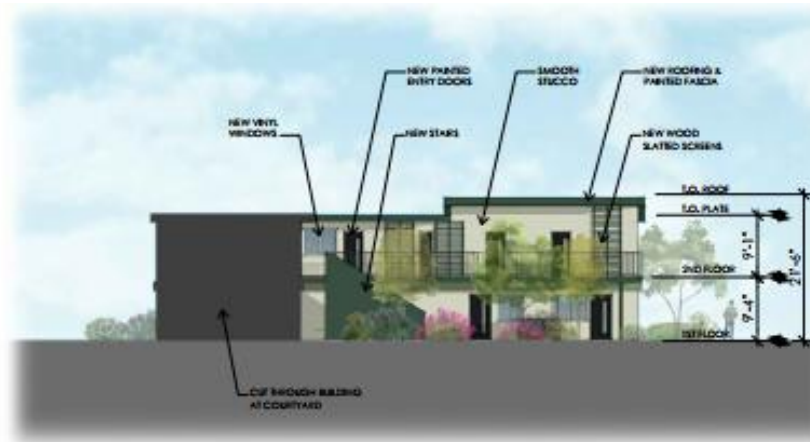
PROPOSED NORTH (LEFT) ELEVATION



PROPOSED EAST (REAR) ELEVATION

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PROPOSED INTERIOR EAST (COURTYARD REAR) ELEVATION



PROPOSED SOUTH (LEFT) ELEVATION





PROPOSED COMMUNITY WEST (RIGHT) ELEVATION



PROPOSED COMMUNITY NORTH (FRONT) ELEVATION



PROPOSED COMMUNITY WEST (LEFT) ELEVATION

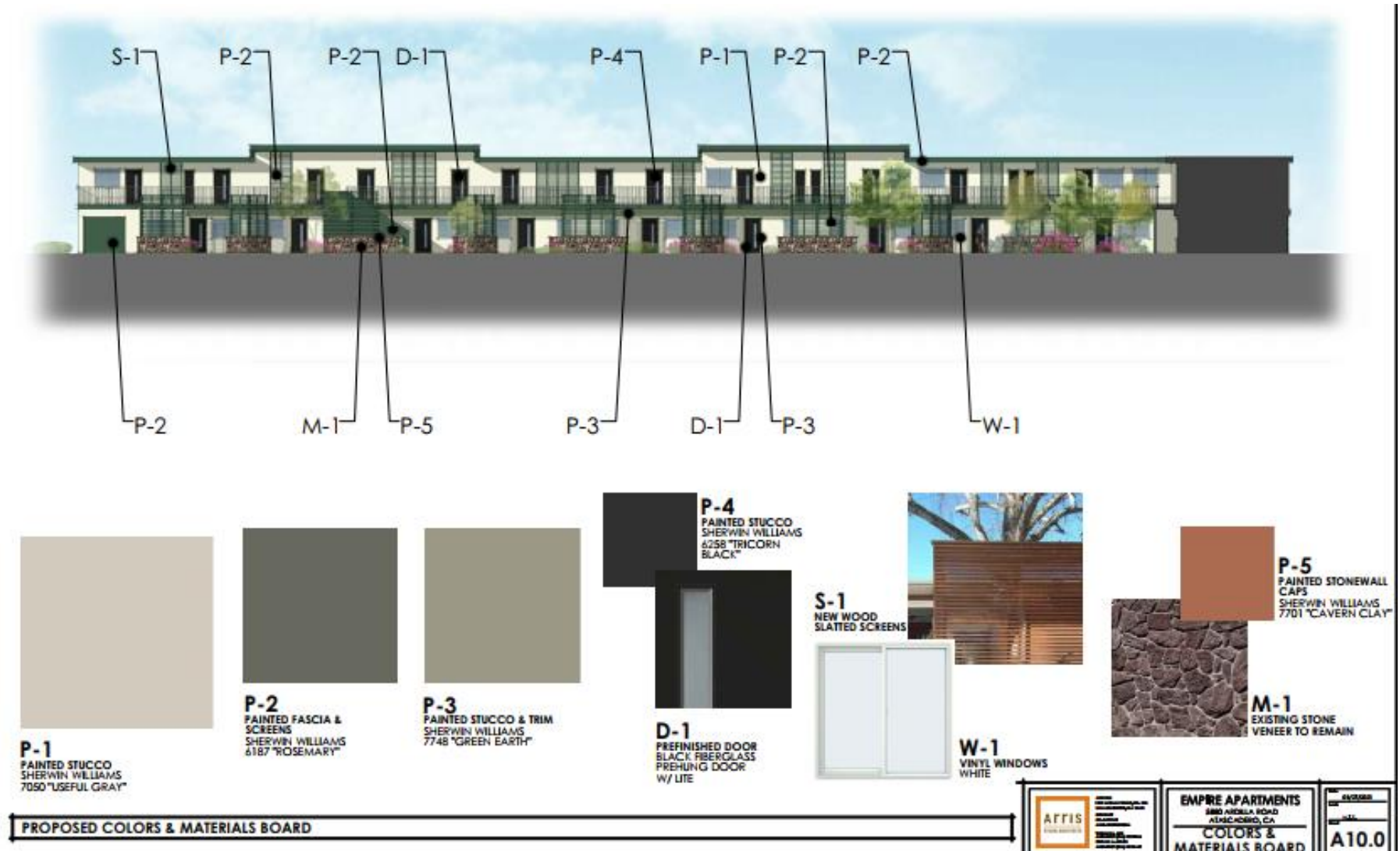


PROPOSED COMMUNITY SOUTH (REAR) ELEVATION



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**EXHIBIT E: Landscape Plan
AMND21-0054**



PRELIMINARY PLANT MATERIAL



TREES

Arbutus 'Marina' / Marina Arbutus
Lagerstroemia indica 'Muskogee' / Muskogee Crape Myrtle
Pistachia chinensis / Chinese Pistache



SHRUBS AND GRASSES

Achillea 'Moonshine' / Yellow Yarrow
Agave americana / Century Plant
Agave 'Blue Glow' / Blue Glow Agave
Arbutus unedo 'Compacta' / Dwarf Strawberry Tree
Arctostaphylos 'Howard McMinn' / Howard McMinn Manzanita
Eriogonum fasciculatum / California Buckwheat
Muhlenbergia rigens / Deer Grass
Nassella tenuissimacouloua / Mexican Feather Grass
Olea europaea 'Little Olive' / Dwarf Olive
Pennisetum orientale / Fountain Grass
Rosmarinus officinalis 'Iuscan Blue' / Rosemary



GROUNDCOVERS

Arctostaphylos 'houkeri' 'Munteny Carpet' / Munteny Carpet Manzanita
Echeveria 'Morning Beauty' / Morning Beauty Echeveria
Muhlenbergia rigens / Deer Grass
Myoporum parvifolium 'Putah Creek' / Creeping Myoporum
Pennisetum orientale / Oriental Fountain Grass
Senecio mandraicace / Blue Chalksticks

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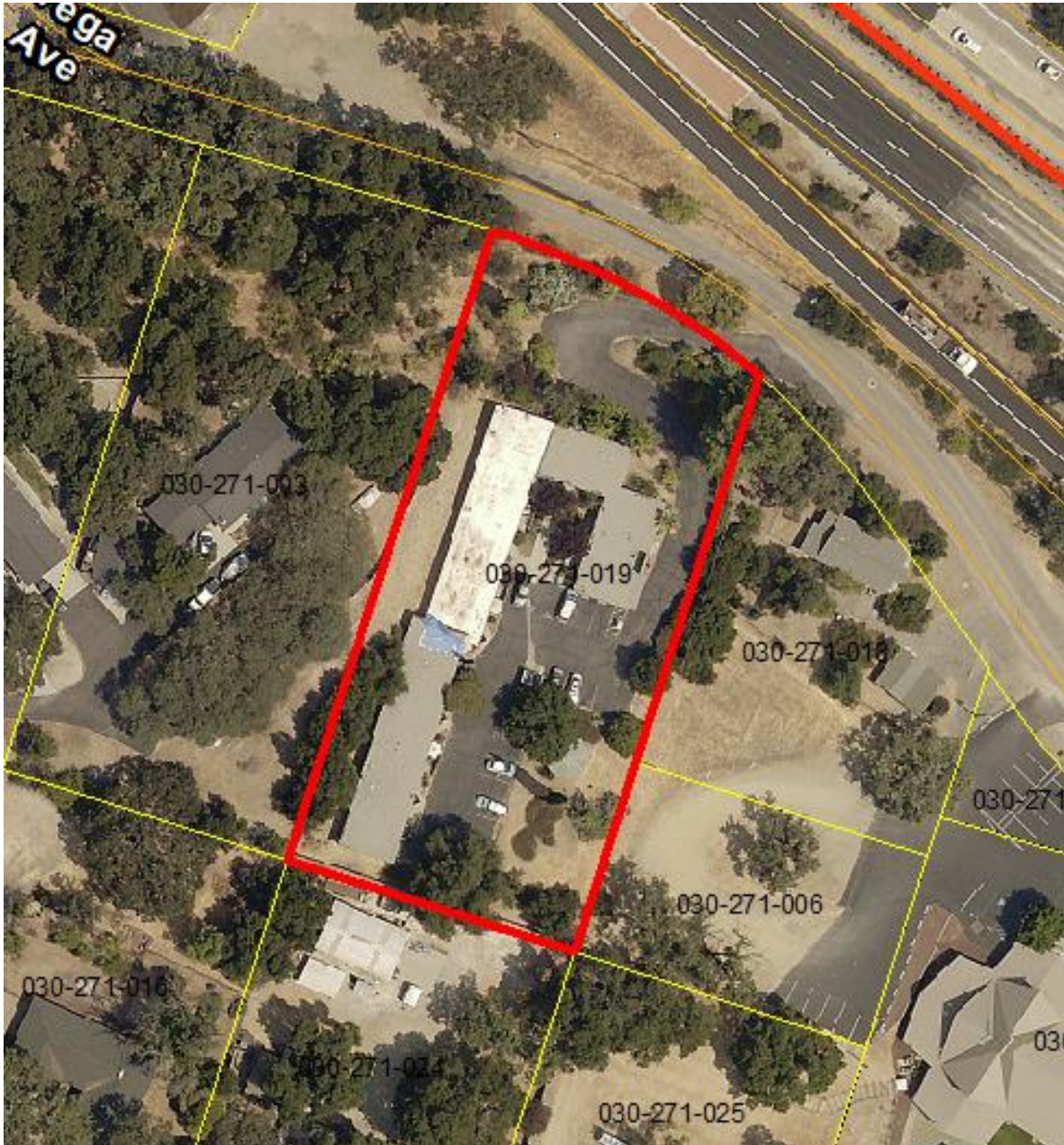
**ATTACHMENT 2: Location and Zoning
AMND21-0054**



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ATTACHMENT 3: Aerial View
AMND21-0054



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**ATTACHMENT 4: Site Photos
 AMND21-0054**

View Looking North at Apartments



View looking at Manager's Unit/ Courtyard



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Existing gazebo to be removed



Area of proposed community building



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