

CITY OF ATASCADERO PLANNING COMMISSION AGENDA

In accordance with City Council Resolution No. 2021-069 and the requirements of AB 361, the Planning Commission Meeting <u>will not be physically open to the public</u> and Planning Commissioners will be teleconferencing into the meeting.

HOW TO OBSERVE THE MEETING:

To maximize public safety while still maintaining transparency and public access, the meeting will be available by clicking on the following link:

https://us02web.zoom.us/j/83250238111?pwd=SG9OdGxyNHNTNmxRWEpHTzRQK0VnQT09 Webinar ID: 832 5023 8111 (No Passcode Required)

HOW TO SUBMIT PUBLIC COMMENT:

Members of the public are highly encouraged to participate in live public comment through the Zoom platform using the link above or by calling **669-900-6833** to listen and provide public comment via phone.

If you wish to comment but not via a live platform, please email public comments to: <u>pc-comments@atascadero.org</u> by 12:00 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 forwarded to the Planning Commission and made a part of the administrative record. If a comment is received after the deadline for submission but before the close of the meeting, the comment will still be included as a part of the administrative record of the meeting but will be forwarded to the Planning Commission the next business day. *Please note, email comments will not be read into the record.*

AMERICAN DISABILITY ACT ACCOMMODATIONS:

Any member of the public who needs accommodations should contact the City Clerk's Office at <u>cityclerk@atascadero.org</u> 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: <u>www.atascadero.org</u>.

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, <u>www.atascadero.org.</u> 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 are available for public inspection during City Hall business hours by appointment.



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

REGULAR MEETING Tuesday, November 16, 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.)

<u>CONSENT CALENDAR</u> (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 OCTOBER 5, 2021

<u>Recommendation</u>: Commission approve the October 5, 2021 Minutes.

PLANNING COMMISSION BUSINESS

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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. NEW APARTMENT BUILDING 10165 EL CAMINO REAL (CA MANOR II)

The proposed project includes the construction of a new apartment building with 76 residential units that will be served for low-income seniors. The project will also subdivide the property into 2 parcels; the front being 2.83 and the back 1.9-acres. Multiple exceptions to the Municipal Code standards including parking requirements, height, open space, and landscaping reductions are being requested. The project is exempt from the California Environmental Quality Act (CEQA) under Categorical Exemption § 15332, Class 32 In-Fill Development.

Ex Parte Communications:

<u>Recommendation</u>: The Planning Commission adopt the draft Resolution 2021-0014 with conditions. (DEV21-0045)

COMMISSIONER COMMENTS AND REPORTS

DIRECTOR'S REPORT

ADJOURNMENT

The next regular meeting will be held on December 7, 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:

- You must approach the lectern and be recognized by the Chairperson.
 Give your name (not required).
 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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DATE:

ITEM NUMBER:

11-16-21

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CITY OF ATASCADERO PLANNING COMMISSION

DRAFT MINUTES Regular Meeting – Tuesday, October 5, 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 6:00 p.m. and Commissioner Schmidt led the Pledge of Allegiance.

ROLL CALL

By Teleconference - Commissioners Anderson, Carranza, Hughes, Present: Schmidt, Vice Chairperson Keen and Chairperson van den Eikhof Absent: Commissioner Jennifer McIntyre (excused absence) Vacant: None Others Present: **By Teleconference -** Recording Secretary, Annette Manier Staff Present: By Teleconference – Community Development Director, Phil Dunsmore Public Works Director/City Engineer, Nick DeBar Senior Planner, Kelly Gleason Associate Planner, Mariah Gasch Staff Absent: None

APPROVAL OF AGENDA

MOTION: By Commissioner Schmidt and seconded by Commissioner Hughes to approve the Agenda.

Motion passed 6:0 by a roll-call vote.

PUBLIC COMMENT

None Chairperson van den Eikhof closed the Public Comment period.



ITEM NUMBER:	1

11-16-21

DATE:

CONSENT CALENDAR

1. <u>APPROVE THE DRAFT MINUTES OF SEPTEMBER 7, 2021</u>

• <u>Recommendation</u>: Commission approve the September 7, 2021 Minutes.

MOTION: By Vice Chairperson Keen and seconded by Commissioner Anderson to approve the Consent Calendar.

Motion passed 6:0 by a roll-call vote.

PLANNING COMMISSION BUSINESS None.

COMMUNITY DEVELOPMENT STAFF REPORTS None.

PUBLIC HEARINGS

2. SUBDIVISION AT 6255 LLANO ROAD

The proposed project includes a 4-lot residential subdivision. A Mitigated Negative Declaration was prepared for the project and was circulated for agency and public review in compliance with CEQA regulations.

Ex Parte Communications:

<u>Recommendation</u>: The Planning Commission adopt the draft Resolution certifying Negative Declaration 2021-0002 and approving Tentative Parcel Map AT 20-0019 to subdivide one residential parcel into four residential parcels. (SBDV20-0025)

EX PARTE COMMUNICATIONS

None

Planner Gleason presented the staff report, and she and Director Dunsmore answered questions from the Commission. Planner Gleason stated that the applicant has requested some modifications to the Conditions of Approval as follows:

On Condition 8, the applicant requests that limitations with each building envelope be analyzed at the time of building permit and that this portion of the condition be removed.

On Condition 8, the applicant requests that trails, animal shelters and a viewing platform be permitted outside the envelopes. (Staff recommends language to allow passive recreation activities and structures exempt from permit requirements.)

On Condition 9, the applicant requests that only utilities from existing poles to new development be undergrounded.

11-16-21

PUBLIC COMMENT

The following members of the public spoke: Tim Roberts.

Emails from the following citizens were read into the record by Recording Secretary Manier: Tim Roberts, Marcia Torgerson, and Karen Robles (see Exhibits A-C).

Nick DeBar answered questions raised during public comment.

The Commission agreed that recording a deed notification on parcels 3 and 4 will tip off the future owners that they need to design these parcels with a hydrology study, and take into consideration the easement when designing the lot due to the drainage.

Chairperson van den Eikhof closed the Public Comment period.

MOTION: By Commissioner Hughes and seconded by Commissioner Schmidt to adopt PC Draft Resolution certifying Negative Declaration 2021-0002 and approving Tentative Parcel Map AT20-0019 to subdivide one residential parcel into four residential parcels at 6255 Llano Road, on APN 050-291-011, based on findings and subject to conditions of approval, with the following added conditions:

- Modify Condition 8 to allow for passive recreation and permit exempt structures in the Open Space easement.
- Modify Condition 9 to confirm that only utilities from existing utility poles to new structures be undergrounded and that no new poles shall be erected along the project frontage.
- On Page 14, correct the numbering.
- A deed notification shall be recorded against parcels 3 and 4 notifying owners of the existing drainage paths on-site and notification that any future development of the parcels will require a hydrology analysis and may require setbacks from the drainage path.

Motion passed 6:0 by a roll-call vote.

COMMISSIONER COMMENTS AND REPORTS

Commissioner Carranza stated for the record that she would have like to abstain from voting on the previous minutes, since she was absent from the last meeting.

ITEM NUMBER: 1

DATE: 11-16-21

DIRECTOR'S REPORT

Director Dunsmore gave an update on the upcoming General Plan, Barrel Creek, Senate Bill 9 (lot splits), and upcoming ADU changes passed by the Governor.

Director Dunsmore stated that there will be a Joint Planning Commission/City Council Meeting in the future to kick off the General Plan Update.

Director Dunsmore stated that there may not be items ready for the October 19, 2021 hearing, so that hearing may be cancelled.

ADJOURNMENT – 7:22 p.m.

The next regular meeting is scheduled for October 19, 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 – Tim Roberts Exhibit B – Marcia Torgerson Exhibit C – Karen Robles



Atascadero Planning Commission Staff Report – Community Development Department

California Manor II Apartments DEV21-0045

RECOMMENDATION(S):

Planning Commission adopt the draft resolution, approving a conditional use permit to construct a 76-unit affordable senior housing apartment building, and a subdivision map to split the lot at 10165 El Camino into two parcels based on findings and subject to conditions of approval.

Project Info In-Brief:

PROJECT DESCRIPTION	Addition of a new 76-unit senior/affordable apartment structure and subdivide the rear portion of the site to create a new lot for the new structure						
PROJECT ADDRESS:	10165 El Camino Real Atascadero, CA				APN	030-461-044	
PROJECT PLANNER	Mariah Gasch	Aariah Gasch 470-3446 mga				asch@atascadero.org	
APPLICANT	Above Grade E	ngineering					
PROPERTY OWNER	Atascadero California Manor, LP						
GENERAL PLAN DESIGNATION:	ZONING DISTRICT:	SITE AREA	EXISTING US	SE	P	ROPOSED USE	
			EXISTING US Low-income affordable, 95- apartment buil	unit	Subdiv develo low-inc apartm	ROPOSED USE vide into two lots, up additional 76-unit come senior (55+) ment building on acant flag lot.	
DESIGNATION: High Density	DISTRICT: RMF-24	AREA 4.7	Low-income affordable, 95-	unit	Subdiv develo low-inc apartm	vide into two lots, p additional 76-unit come senior (55+) nent building on	

DISCUSSION:



Existing Surrounding Uses / Parcel Configurations:



Background

The subject site is approximately 4.7 acres and currently developed with one 95-unit, lowincome affordable multi-family building. The units are income restricted and rented at the "low income" level (residents must qualify based on 80% of the area median income). The property is to be divided into two new lots, with Parcel 1 (2.8 acres) in front for the existing multi-family building and a 1.9-acre flag lot (Parcel 2) in back to house a new three story, 76-unit, low-income senior (55+) housing development. The new building will contain 12 studios, 58 one-bedroom units, and 6 two-bedroom units. The proposal also includes community amenities such as on-site rental office, community rooms with kitchens and meeting areas, tenant storage rooms, laundry facilities on each floor, and a landscaped courtyard area. Both the existing and the new building are to share 151 parking spaces.

This project was presented to the Design Review Committee (DRC) in October of this year. The DRC had a variety of comments related to architectural features, open space, parking and landscaping. The applicant has addressed the DRC's recommendations and staff has added conditions to ensure the DRC's recommendations are met.

Analysis

Subdivision



The project includes one existing lot that is proposed to be subdivided into two parcels. Parcel 1 along El Camino Real is 2.83 acres while Parcel 2 is 1.90 acres. In order to subdivide the rear portion off, Parcel 2 must have its own access to a dedicated street. Therefore, Parcel 2 will connect to El Camino Real via a 24-foot wide accessway ("flag"). The net area of Parcel 2, excluding the flag, is 1.65 acres. The minimum lot size in the RMF zone is 0.5 acres. Parcels 1 and 2 both exceed the minimum lot size standard. A condition has been added the ensure a covenant is recorded between the two parcels to share access throughout the site.



Density

The project is located in a High-Density Residential land use designated area defined by the General Plan as:

High Density Residential (HDR): These areas are intended for a minimum of 20 and a maximum of 24, multi-family residences per acre, including mobile homes parks. The minimum lot area is 0.5 acres net, although smaller lot sizes may be allowed through a planned development overlay process. Zoning standards require adequate parking, setbacks, landscaping, on-site recreation areas, individual storage, and building and parking area screening from abutting lower density single-family areas. Maximum densities shall be reduced based on lot slopes. All development within this district is subject to appearance review.

The new lot (Parcel 2) will be 1.9 acres in size, and thus allows a maximum base density of 46 units. However, per CA Government Code Section 65915, the applicant can receive a density bonus of 80% above what is allowed by the zoning code for designating 100% of units for low income. Therefore, the maximum density under the state density bonus law is 83 units. Per City code, a Conditional Use Permit is required for multi-family



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developments of 12 units or greater. The 76 proposed units are consistent with the General Plan, Atascadero Municipal Code (AMC), and state law.

Per State law (sec. 65915), 100% affordable projects qualify for four automatic concessions related to development standards. If there are other standards that physically interfere with development of the site at full density, the applicant may request additional development modifications through the waiver process. The applicant is requesting the following concessions/ waivers:

- An increase in the allowed height of the new building to allow a 39' 8" height where the municipal code allows a maximum height of 35 feet with portions of the building over 25-feet tall to have additional setbacks;
- A reduction in required common open space for Parcel 1 from 28,500 square feet to 19,305 (67%) and for Parcel 2 from 22,000 square feet to 8,926 (40%) square feet,
- And a reduction in required landscape coverage from 25% to 15% lot coverage for Parcel 2.

Housing Needs

According to the General Plan Housing Element (2021), the Regional Housing Needs Allocation (RHNA) in Atascadero for 2018-2028 includes the construction of 105 low-income housing units. This 76-unit, 100% low-income affordable development would greatly improve the city's position in meeting its housing needs. It is also important to note that this will be senior (55+) housing only. The US Census Bureau's 2019 ACS 5-Year Estimate for Atascadero identifies 1,045 renters 55 years or older in the city, or 24% of all renters.

General Plan Policy HOS 1.3 states:

Encourage the production of housing, with particular emphasis on housing affordable to persons with disabilities, elderly, large families, female-headed households with children, and homeless individuals.

This project would provide 76 units of deed-restricted affordable housing to elderly residents of Atascadero.

Site Design and Architecture

The existing building is a three-story, multi-family residential development with frontage on El Camino Real. It is rented as 100% low-income affordable apartments, and has 95 total units. The new building to be developed will share driveway access from El Camino Real with the existing building. The proposed 3-story, 68,775 square-foot, U-shaped development will contain 76 new units with laundry and storage onsite. The applicant proposes to maintain the new apartment as a low-income affordable senior (55+) complex. In order to be eligible for the development concessions and density bonus, the



City will require that these new units be deed restricted as affordable for a term of 55 years.

The project will include an 8,926 square foot interior courtyard, surrounded by the building on three sides with an opening on the eastern end of the lot. The courtyard will be landscaped and include walkways that access exterior sidewalks and the parking lot. A large community room also extends into the courtyard patio area. The courtyard includes a small lawn and multiple benches and picnic tables for residents to utilize. In addition to these, the courtyard also has multiple decorative features proposed such as a garden art pieces, a sun dial in the center of the lawn and a garden obelisk.





Courtyard Plan

The three-story building will be 39' 8" in height, and contain 12 studios, 58 one-bedroom units, and 6 two-bedroom units. The unit sizes are split mostly equally among the three stories. New driving aisles and parking spaces will be added adjacent to the proposed development, increasing total parking for the site from 122 spaces to 151. The current site of the proposed building is mostly a vacant lot, along with the current driving aisle, a number of oak trees, and a maintenance building for the existing structure.

Previously, Atascadero Municipal Code (AMC) 9-4.113 limited the height for buildings in the Residential Multifamily zone to 30 feet (not to exceed 2 stories). The most recent code update adopted by City Council this past summer revised the maximum height to 35 feet with portions of the building over 25-feet tall to have additional setbacks required. However, the applicant is requesting a waiver from development standards to allow up to three stories with no additional setbacks, over 35-feet, in order to meet the desired density that would be allowed by the 80% density bonus.

Building Design

The DRC discussed the massing of the building and expressed concerns over the lack of architectural features of the building. The applicant addressed this comment by adding additional articulating features to the front elevation. The project previously included articulation but this was difficult to decipher on the renderings provided to the DRC. Detailed color renderings were created and have been provided for the Planning Commission's review.



Staff still has concerns about the overall massing and repetitive nature of the window design. Staff is recommending the addition of an architectural feature, particularly on the second story, to break up the massing. The recommendation is to add new balconies, which would increase outdoor areas for residents to utilize while also substantially enhancing the architecture. As an option, awnings may also be used to enhance the appearance, instead of a flat vertical wall. Staff has added a condition to require additional architectural features such as these to the satisfaction of the Community Development Department.

The new building is designed to be consistent with the architectural style and materials of the existing building. This includes earth toned exterior colors, composition shingle roofing, stucco, and a mix of horizontal siding and vertical, batten siding. Staff does not have any additional recommendations to the colors and materials proposed.



West Elevation





East Elevation



North Elevation

South Elevation



Parking and Access

Access is provided by two entry points into the parking lot off of El Camino Real. The existing parking lot contains 122 parking spaces with required accessible parking that currently serve the existing 95 units. The applicant is proposing to add only 30 more parking spaces, thereby increasing the amount of total spaces to 151 shared parking spaces between the two buildings. The State density bonus law sets a maximum parking ratio for projects providing affordable units. Per state law, a maximum of 185 parking spaces may be required. However, the applicant is requesting a further reduction as a



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concession in accordance with density bonus law. The applicant is proposing the following parking ratios for the site:

Bedroom Type	Total Units Proposed	Parking Required (Atascadero Municipal Code)	Maximum Density Bonus requirements	Total Parking Provided Under requested concession	
Studio	12	18	12 (1 per unit)		
One Bedroom	145	218	145 (1 per unit)	151	
Two Bedroom	14	28	28 (2 per unit)	151	
Guest Parking	0		0		
Total	171	264	185	151	

The State density bonus law limits a municipality's ability to require onsite parking for housing developments for individuals who are 62+ when the development is within one-half mile, to fixed bus route service that operates at least eight times per day. The development is within ½ miles to the near Regional Transit Authority (RTA) stop. This stop operates more than 8 times per day on weekdays but less on weekends. However, Atascadero has a Dial-a-Ride service which also exempts senior housing developments from parking requirements. It is important to note that this site is more than one mile from any grocery store or pharmacy, and pedestrians would need to walk along El Camino Real to reach any shopping areas.

The DRC expressed concerns about the significant parking reduction and a lack of a *Parking Management Plan*. The committee requested that that the applicant provide a parking management plan that can justify the low parking ratio. A 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 (a van pool).

The applicant performed an independent parking study based on observations over the course of a few days. Here are the results of their observations:

|--|

10/25/21	Vehicles parked
7PM	64
10/26/2021	
7AM	64
1PM	60

Weekend	
1100110110	

10/30/2021	Vehicles parked
7AM	67
1PM	55
7pm	67

There are 122 existing parking spaces onsite for building one. Based on these numbers, approximately 2/3 of the lot is being used by the existing 96 units. Twenty-nine new parking spaces are to be added with the addition of the second building. It does not appear that parking is impacted based on current data. However, the owner does not



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have any plans proposed to mitigate parking if it does become impacted in the future as there is no restriction on how many residents may have vehicles. The site is also fairly isolated from services and mobility for seniors to services is limited since the regional bus stops approximately once per hour at the nearby bus stop.

At this time, the applicant has not provided a parking management plan to mitigate issues that may arise with such a dramatic reduction. Therefore, staff has added a condition that a parking management plan be submitted prior to building occupancy. This parking management plan will need to include additional resources to enhance mobility for seniors. This plan should include, but is not limited to providing an onsite van pool with daily trips to grocery/ retail stores, a car share vehicle for tenants to rent, designated parking spaces for visitors/ employees and any other similar programs that increase mobility to services.

Landscaping Plan

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 18% of Parcel 2 will be landscaped, with 13,237 sf of landscaping on a site that is about 71,700 net sf total. This is below the minimum 25% required by the AMC. Parcel 1 will continue to meet the minimum landscape standard.

The applicant is requesting a concession to reduce required landscape amount. At the DRC hearing, staff recommended reducing the lengths of the parking stalls on Parcel 2, This is to increase the overall landscaping by adding an additional foot to the landscaping planters surrounding the parking area of Parcel 2. The applicant confirmed feasibility of this modification and an additional foot of landscaping has been added in these landscape planters. This increased the landscaped area of Parcel 2 by 332 square feet.

The Municipal Code also requires trash enclosures to be surrounded by landscape. Two new trash enclosures are proposed on Parcel 2. These include landscaping around the sides and back of the enclosure and a metal screen to shield it from the parking lot. Staff has added a condition that the final design be approved by the Community Development Department.



Landscape Plan



Trash enclosure



The proposed project also includes the removal of fifteen native trees ranging in DBH from 11" to 50". These are being removed because they are in the footprint of the building and parking lot or will be substantially impacted by grading activities.





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. Each floor has designated tenant storage space. Storage closets are located together in rooms separate from the units. The amount of storage provided meets requirements of the Municipal Code.

Open Space:

The code also requires outdoor recreational space at a ratio of 300 square feet per unit. Based on this, a total of 22,800 square feet of open space is required for Parcel 2. Since open space is being eliminated from the existing project with the addition of the new



building, Parcel 1 will also not meet required open space. Parcel 1 requires a total of 28,500 square feet of open space and after the new building is built there will only be 19,305 square feet. 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 new outdoor recreational space is a courtyard that is approximately 8,926 square feet in the center of the complex for Parcel 2. The project is well below the zoning codes' requirement for open space. Therefore, the applicant is requesting a concession for this requirement. Due to the site's layout, there is limited opportunity to expand open space further. The addition of more open space may result in a loss of units or parking spaces.

In response to the DRC's comments, the applicant has provided additional outdoor balconies for communal use on the 2nd and 3rd floors. There is a total of four new balconies. These provide a cumulative 420 sf of additional "outdoor" space for tenants.



Staff has analyzed some possible solutions to add more outdoor space for residents. This resulted in staff adding a condition that requires the addition of balconies to at least one story along with outdoor patios for residents located on the first floor toward the inner courtyard. Balconies may add a substantial cost to the applicant and may not be able to be required under the Housing Accountability Act. Patios on the first floor in the courtyard area would be a simpler addition and would involve modification to the landscape plan.





Housing Accountability Act

The Housing Accountability Act (HAA), Government Code Section 65589.5, establishes limitations on a local government's ability to deny, reduce the density of, or make infeasible, housing development projects that are consistent with objective local development standards and contribute to meeting housing need. In order to do any of the previously stated, local governments must make specified written findings based upon a preponderance of the evidence that a specific, adverse health or safety impact exists. However, local governments are not prohibited from requiring a housing development project to comply with objective, quantifiable, written development standards, conditions, and policies. Those standards must meet the following criteria:

- Be appropriate to, and consistent with, meeting the local government's share of the Regional Housing Needs Allocation (RHNA) or meeting the local government's need for emergency shelters as identified in the housing element of the general plan.
- Be applied to facilitate and accommodate development at the density permitted on the site and proposed by the development or to facilitate and accommodate the development of the emergency shelter project.
- Meet the definition of "objective". Objective standards are those that involve no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official.

Therefore, the Planning Commission cannot condition this project in such a way that would make it challenging for the applicants to build the desired number of units allowed by the Density Bonus.



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 is an in-fill development project.

FINDINGS:

To recommend approval of the proposed project, findings are required to be made by the Planning Commission. The City's General Plan and Zoning Ordinance identify the specific findings that must be made to approve California Manor II Apartments. Findings and the facts to support these findings are included in the Draft Resolution.

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. The theater building would remain un-subdivided and maintained under single ownership.

ATTACHMENTS:

1. Draft Resolution



DRAFT PC RESOLUTION 2021-0014

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING DEV 21-0045 / CA MANOR II APARTMENTS CONDITIONAL USE PERMIT AND TENTATIVE PARCEL MAP AT21-0014 FOR THE CONSTRUCTION OF 76-UNIT, LOW-INCOME AFFORDABLE SENIOR HOUSING APARTMENT BUILDING AND TWO LOT SUBDIVISION LOCATED AT 10165 EL CAMINO REAL (Atascadero California Manor, LP)

WHEREAS, an application has been received from Atascadero California Manor, LP (Applicant/ Owner), 1370 Jensen Ave. #B, Sanger, CA 93657 to consider a lot subdivision and Conditional Use Permit for the development of California Manor II Apartments, a 76-unit low-income affordable senior housing complex; and

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

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

WHEREAS, the existing site has a gross area of 4.73 acres; 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 Subdivision and Conditional Use Permit 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 Subdivision and Conditional Use Permit; and

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

SECTION 1. <u>Recitals</u>: The above recitals are true and correct.

SECTION 2. Public Hearings.

1. The Planning Commission held a duly noticed public hearing to consider the project on November 16, 2021 and considered testimony and reports from staff, the applicants, and the public.

SECTION 3.



- I. **<u>Findings for approval of Tentative Parcel Map.</u>** The Planning Commission finds as follows:
 - 1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan; and

Fact: The High-Density Residential land use designation is designed to encourage housing types that increase density in the city. The minimum lot size in an HDR area is 0.5 acres net. The two resulting parcels from this subdivision will be 2.8 and 1.9 acres, respectively. The HDR General Plan designation will remain for both parcels.

2. The site is physically suitable for the type of development; and

Fact: The site is flat and no physical changes are required.

3. The site is physically suitable for the proposed density of development; and

Fact: The subdivision is of a lot that has an existing large multifamily apartment building. Although not an equal split, both new parcels will be large enough in size to accommodate both current and proposed building densities.

4. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; and

Fact: The lot to be subdivided is already heavily developed, the new building will involve the removal of some large oak trees but otherwise will not substantially damage the environment or wildlife.

5. The design of the subdivision or the type of improvements will not cause serious health problems; and

Fact: The improvements proposed will not cause health problems and are appropriate for HDR land use and zoning standards.

6. The design of the subdivision will not conflict with easements for access through or use of property within the proposed subdivision.

Fact: There are no easements within the proposed subdivision.

- II. **<u>Findings for approval of Conditional Use Permit.</u>** The Planning Commission finds as follows:
 - 1. The proposed project is consistent with the General Plan; and

Fact: The High-Density Residential land use designation is designed to encourage housing types that increase density in the city. Not only is this project zoned for the



highest potential density in the city, it is also 100%, and per CA Government Code Section 65915 the applicant can receive a density bonus of 80% above what is allowed by the zoning code. The 76 units proposed is actually below the maximum allowed under these circumstances. Additionally, the project is consistent with the Housing Element of the general plan, especially HOS Policy 1.3: *Encourage the production of housing, with particular emphasis on housing affordable to persons with disabilities, elderly, large families, female-headed households with children, and homeless individuals.*

Because this is a senior (55+) affordable housing development, the city will be providing necessary housing for its elderly population. Also, this affordable housing project will help the city reach its RHNA numbers for low-income housing before the deadline of 2028.

LOC Program 1.1.7 states: Within the Urban Core encourage infill development or the revitalization or reuse of land already committed to urban development where utilities and public services exist. This project is consistent with this General Plan Program as well because it is an infill project on a vacant part of a lot surrounded by existing housing.

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

Fact: This proposed project can be permitted through the Conditional Use Permit Process as identified in the AMC. The components of this project that are not consistent with the AMC, such as height, open space, and landscape coverage, are requested as concessions for this 100% affordable development. Because of this, the project as a whole is consistent with the applicable provisions of the AMC as conditioned.

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 subdivided lot that the project will be developed on is surrounded by other lots zoned RMF-24 on three sides. The fourth side is the access location where the flag lot connects to El Camino Real. The building itself will not be visible from the street since it is behind an existing multi-family residential building. The site design has been reviewed by all City departments for consistency with code requirements.

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: Though taller than the surrounding buildings, it is only about 5 feet over code requirements. Also, the design of the project is not out of character compared to adjacent apartment buildings. Additionally, the landscaping plan calls for the planting



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of trees around the perimeter of the site to obscure the view from the surrounding residences.

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 only road that can access the site is El Camino Real, which is a major arterial street in the City. Also, because it is a senior housing development, not all residents will be driving themselves.

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

Fact: Large, multifamily structures are permitted in RMF-24 zoning districts. The proposed development, including concessions and bonuses, is compliant with all related zoning codes and plans.

SECTION 4. CEQA. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption § 15332, Class 32: In-Fill Development Projects.

SECTION 5. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on November 16, 2021, resolves to approve California Manor II Apartments (DEV21-0045), subject to the following:

EXHIBIT A:	Conditions of Approval
EXHIBIT B:	Tentative Parcel Map AT21-0014
EXHIBIT C:	Site Plan
EXHIBIT D:	Elevations
EXHIBIT E:	Floor Plans
EXHIBIT F:	Unit Plans
EXHIBIT G:	Renderings
EXHIBIT H:	Landscape Plan
EXHIBIT I:	Courtyard Plan
EXHIBIT J:	Colors and Materials

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:



	ITEM NUMBER: DATE:	2 11/16/21
ABSTAIN:		()
ABSENT:		()
ADOPTED:		

CITY OF ATASCADERO, CA

Jeff van den Eikhof Planning Commission Chairperson

Attest:

Phil Dunsmore Planning Commission Secretary



EXHIBIT A: Conditions of Approval DEV 21-0045

Co	nditions of Approval	Timing
10	nlifornia Manor II Apartments 165 El Camino Real EV 21-0045	BL: Business License FM: Final Map GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy
Pla	nning Services	
1.	DEV 21-0045 (Tentative Parcel Map AT21-0014) shall be for the subdivision of 10165 El Camino Real; A portion of Parcel A of Parcel Map AT81-183, as recorded in book 31, page 26 of parcel maps, in the County of San Luis Obispo, California. (Assessor's Parcel Number's 030-461-044), as generally shown in attached Exhibit B, regardless of owner.	Ongoing
2.	The appeal period is fourteen (14) days following the Planning Commission approval unless prior to the time, an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	Ongoing
3.	Approval of this Tentative Parcel Map shall be valid for a period of twenty-four (24) months and shall expire on November 16, 2023 , consistent with Section 66452.6(a)(1) of the California Subdivision Map Act. The approved Tentative Parcel Map may be extended consistent with Section 66452.6(e) of the California Subdivision Map Act. Any requested map extension shall be consistent with Section 11-4.23 of the Atascadero Municipal Code	FM
4.	The Community Development Department shall have the authority to approve minor changes to the project that (1) result in a superior site design or appearance, and/or (2) address a construction design issue that is not substantive to the Tentative Parcel Map.	FM
5.	The Subdivider 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 subdivision.	Ongoing
6.	The Subdivider shall pay all applicable Quimby Act fees to the City in accordance with the fee schedule and policies in effect at the time of subsequent applications.	FM
7.	The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.	Ongoing
8.	All site plan improvements shall be consistent with Exhibit C of the master plan of development.	BP/ Ongoing
9.	The owner shall provide a landscape and irrigation plan, completed by a design professional, to the Community Development Department for review.	BP/ Ongoing
	• Landscaping and irrigation shall be installed as shown on the approved landscape plan prior to requesting a final planning inspection.	
	• All landscaping shall be consistent with State and local ordinances related to water efficiency.	
	 All trees shall be maintained by the property owner in a manner which allows the tree to grow to its natural canopy height and width. Low lying branches shall be removed consistent with fire department standards for clear access. 	



Conditions of Approval	Timing
<i>California Manor II Apartments</i> 10165 El Camino Real DEV 21-0045	BL: Business License FM: Final Map GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy
 ii. Parking lot shade trees, both those in planter fingers/islands and along the perimeter of parking areas, shall be maintained in a manner which allows the tree to achieve a minimum of 10% coverage of the parking lot. iii. Irrigation shall be monitored and maintained and deep root watering methods shall be utilized. Should a tree require replacement, approval of the replacement tree species and location shall be obtained from the City's Planning Division prior to removal. Any removed tree shall be replaced in accordance with City standards and any approved entitlement conditions. 10. The landscape plan shall be consistent with what is shown in Exhibit H. 	
11. Overall courtyard design shall be consistent with Exhibit I. Courtyard on Parcel 2 shall include amenities for residents to enjoy such as benches, tables and art features to the satisfaction of the Community Development Department.	BP/ Ongoing
12. New fencing and screening shall be reviewed and approved by the Community Development Department.	BP
 All elevations must be consistent with Exhibit D. Maximum building heights shall not exceed 39-feet, 8- inches in height measured from finished grade. 	BP
 Color and materials shall be consistent with Exhibit J. Any color deviations or additional colors must be approved by the Community Development director or their designee prior to the issuance of building permits. 	BP
15. A deed restriction shall be entered between the City of Atascadero and the applicant deed restricting all 171 units to low income affordable and ages 55+ for a term of no less than 55 years. This deed restriction shall be recorded prior to the issuance of building permits.	BP
16. Project shall be developed and maintained as one development, regardless of owner(s).	Ongoing
17. Approval of this permit shall include the removal of 15 Native Oak Trees. The applicant shall be required to pay mitigation fees or provide replantings on-site per the requirements of the Atascadero Native Tree Ordinance. Any additional removals shall be subject to Community Development Department approval.	BP
18. The final trash enclosure design shall be included with the building permit submittal and shall be approved by the Community Development Department.	BP
19. All lighting shall be designed to eliminate any off-site glare. All exterior site lights shall utilize full cut-off, "hooded" lighting fixtures to prevent offsite light spillage and glare. No light shall be permitted to spill off-site. Fixtures shall be shield cut-off type.	BP
20. At the time of building permit submittal of the proposed project, applicant must submit a photometric plan showing locations of proposed on-site lighting. Prior to final occupancy, City staff and the applicant shall meet on-site and review lights at dusk condition to ensure off-site light spillage and glare	BP
 A letter from a qualified biological consultant will be required prior to permit issuance to verify birds in trees #58, as identified in the arborist report, have fledged. 	BP
22. A parking management plan shall be submitted prior to building occupancy. This parking management plan will need to include additional resources to enhance mobility for seniors. This	FI



Conditions of Approval	Timing
<i>California Manor II Apartments</i> 10165 El Camino Real DEV 21-0045	BL: Business License FM: Final Map GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy
plan should include, but is not limited to providing an onsite van pool with daily trips to grocery/ retail stores, a car share vehicle for tenants to rent, designated parking spaces for visitors/ employees and any other similar programs that increase mobility to services.	
23. Additional architectural features shall be included on the building permit submittal and shall be approved by the Community Development Department. Additional features may include but are not limited to awnings above one or all story exterior windows, balconies on the exterior façade, etc.	BP
24. The addition of balconies to at least one story along with outdoor patios for residents located on the first floor toward the inner courtyard shall be required upon building permit submittal to the satisfaction of the Community Development Department.	BP
25. Easements shall be recorded with the final map over both parcels to guarantee shared access and for the entire development, regardless of owner.	FM
Public Works Conditions	
26. Tentative Parcel Map to display the parcel lines and descriptions clearly, with bold lines and text.	FM
27. Provide Preliminary City Stormwater Control Plan form and Drainage Analysis supporting the sizing of the underground storage chambers. Include a 100-year storm overland escape path on plans. Exhibits/plans to support draft drainage report assumption that the overflow would go towards El Camino Real. Design to ensure no cross-lot drainage into neighboring property is introduced as a result of the raising on the site at the east/back of the property.	BP



Exhibit B: Tentative Parcel Map AT21-0014 DEV21-0045



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

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Exhibit C: Site Plan DEV21-0045



ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO COMMUNITY DEVELOPMENT DEPARTMENT AT
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Exhibit E: Floor Plans DEV21-0045



FIRST FLOOR 22,803 S.F. TOTAL

24 UNITS

(4)	EFFICIENCY (542 s.f. each)
(18)	1-BEDROOM (685 s.f. each)

(2) 2-BEDROOM (930 s.f. each)



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SECOND FLOOR

22,986 S.F. TOTAL

26 UNITS

(4)	EFFICIENCY (542 s.f. each)
(20)	1-BEDROOM (685 s.f. each)
(2)	2-BEDROOM (930 s.f. each)



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SECOND FLOOR PLAN

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THIRD FLOOR 22,986 S.F. TOTAL

26 UNITS

(4)	EFFICIENCY (542 s.f. each)
(20)	1-BEDROOM (685 s.f. each)

(2) 2-BEDROOM (930 s.f. each)



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1) THIRD FLOOR PLAN

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Exhibit F: Unit Plans DEV21-0045















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Exhibit G: Renderings DEV21-0045

East Elevation:



North Elevation





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West Elevation





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Exhibit H: Landscape Plan DEV21-0045





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Exhibit I: Courtyard Plan DEV21-0045





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Exhibit J: Colors and Materials DEV21-0045



